4. **Appl. No**: 2014/1342/D  
**Parish**: FRAMINGHAM EARL

Applicants Name: Charles Church Ltd  
Site Address: Land North-west Of Pigot Lane Framingham Earl Norfolk

Proposal: Submission of Reserved Matters for the construction of 100 dwellings including access, roads, open space, landscaping and associated works following outline planning permission 2011/1284/O

Recommendation: Approval with conditions

1. In accordance with plans  
2. External materials as in accordance with submitted schedule  
3. The development shall be constructed in accordance with the tree protection plan hereby submitted  
4. Surface water drainage details to be agreed with technical advice provided  
5. Foul water drainage details to be agreed with technical advice provided

Subject to confirmation from the Environment Agency and Anglian Water that they have no objection to the scheme.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 7: Supporting Communities  
Policy 14: Key Service Centres  
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
ENV 8: Development in the open countryside (Part Consistent)

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.2 Meeting housing requirements and needs  
DM3.9 Design Principles  
DM3.11 Promotion of sustainable transport  
DM3.13 Provision of vehicle parking  
DM3.14 Amenity, noise and quality of life
DM3.15 Pollution, health and safety
DM3.16 Outdoor play facilities and recreational space
DM4.3 Sustainable drainage and water management
DM4.9 Protection of Trees and Hedgerows
DM4.10 Incorporating landscape into design

1.6 South Norfolk Place-Making Guide

2. Planning History

2.1 2014/0790 Discharge of condition 3 of planning permission 2011/1284/O - masterplan design brief Condition discharged

2.2 2012/2119 Non material amendment to planning permission 2011/1284/O - relocate pumping station with minor amendments Approved

2.3 2011/1284 Outline application for residential development of 100 dwellings and associated works including new access onto Pigot Lane. Approved

2.4 2011/0100 Application for Screening Opinion for Residential Development Environmental Statement not required

3. Consultations

3.1 Parish Council No objection. An extension of the speed limit for a greater part of Pigot Lane should be implemented and cutting light pollution at night time.

3.2 District Members: Cllr Overton To be determined by Committee
Due to poor design which in my opinion does not meet the design policy and statement for South Norfolk. The present design looks very similar to the original scheme that was proposed for Heath farm, Poringland, which not accepted by Poringland Parish Council and the local residents, the design was revisited by the developer who came back with design that was acceptable to all parties including SNC planning.

Cllr Neal To be determined by Committee
Have concerns regarding the design of the properties

3.3 Landscape Officer No objection subject to conditions

3.4 Conservation Officer No objection

3.5 Environmental Services (Protection) No objection subject to conditions

3.6 NCC- Planning Obligations No objection

3.7 Norfolk Police No objection

3.8 Design Officer No objection
3.9 Waveney Valley Internal Drainage Board
No comments received

3.10 Housing Strategy Manager
No objection

3.11 Natural England
No objection

3.12 Anglian Water Services Ltd
No comments received

3.13 Environment Agency
No objection subject to conditions

3.14 NCC Highways
No objection

3.15 Representations
Amended scheme

1 objection received. A summary is as follows:

Cannot understand why such a beautiful area is being built on, it will ruin tranquility, lead to loss of wildlife, create traffic issues. Already accepted a new hospice in the village. Brownfield sites should be targeted.

Original scheme

9 objections were received. A summary of these is as follows:
- Poor access, Pigot Lane is too narrow.
- Should be pedestrian access only into Oaklands.
- Schools and roads are at capacity.
- Trying to improve poor drainage will result in flooding in Framingham Pigot.
- Drainage needs to be fully and carefully considered.
- Given a new hospice is being built peace and quiet should be considered.
- Already enough houses for sale in the area.
- Let’s keep some countryside for the locals to enjoy.
- Already enough housing planned.
- Scheme is not needed.
- Ruin the landscape.
- Street lighting should be kept to a minimum.
- What is planned for the open spaces.
- Robust boundary treatments are required.
- Can permitted development rights for dormer windows be removed?
- Loss of value of property, can I claim compensation?
- Bottom of site is too dense.
- More bungalows should be provided.
- Who is responsible for upkeep of the trees.
- Loss of privacy.
4 Assessment

Site description and proposal

4.1 The application seeks reserved matters approval for 100 dwellings on 4.7 ha of land on the edge of Framingham Earl following the granting of outline planning permission under 2011/1284. The site would be accessed via Pigot Lane which lies to the south-east. There are three access points serving the development, two of which are to be unadopted and each therefore serves only 4 dwellings. The remaining 92 are served via one adopted type 3 road.

4.2 The scheme provides 67 market dwellings, consisting of:

19 x 5 bed houses, 16 x 4 bed houses, 27 x 3 bed houses and 5 x 2 bedroom bungalows.

The scheme provides 33 affordable dwellings, consisting of:

1 x 4 bed houses, 5 x 3 bed houses, 15 x 2 bed houses and 12 x 1 bed houses.

4.3 The scheme would provide footpath links on Pigot Lane and onto the adjacent existing residential development known as Oaklands.

4.4 Parking is provided through a mix of garaging, private drives and parking courts.

4.5 The site consists of approximately 4.7 ha of land located on the edge of the Framingham Earl and lies to the north-west of Pigot Lane and the east of existing dwellings on Oaklands. To the north west are playing fields associated with Framingham High School and to the north and east are existing fields. The site is enclosed by hedging and trees, and also includes within it a number of vegetated field boundaries which run across the site.

4.6 The site benefits from outline planning permission granted under 2011/1284. Having been granted in acknowledgement of the Council's lack of five year housing land supply in the Norwich Policy Area at that time, and as such the principle of residential development on the site has been established. In acknowledging this, the reserved matters application seeks to deal with matters of detail, having regard to the content and structure of the conditions which have been agreed by the Planning Inspectorate. It is considered that the following are the key planning issues in the determination of this reserved matters application:

- Drainage
- Trees/landscaping
- Design
- Highway safety
- Neighbour amenity

Drainage

4.7 With regard to foul drainage, a pumping station is proposed in the north-eastern corner of the development which will in turn link into Anglian Waters sewer system. There are no objections from the Council's Environmental Protection Officer in respect of foul drainage subject to conditions relating to the agreement of a detailed scheme for this. The applicant highlights the existence of Condition 6 of the outline approval, which requires the agreement of the foul water and sewage disposal system for the site and their intention to provide full details to meet this requirement. The Environment Agency has confirmed that it has no objection in terms of foul water drainage subject to a condition to agree the detailed scheme to be used.
4.8 With regard to surface water drainage, the applicant has provided a drainage strategy for the site based upon a combination of using existing drainage ditches and a new swale drainage system. This has been assessed by the Council's Environmental Protection Officer who has no objection to the agreement of a detailed scheme via condition. The Environment Agency has also confirmed that it has no objection subject to the agreement of a suitable scheme via condition.

Trees/landscaping

4.9 Condition 18 of the outline approval requires the agreement of a detailed landscaping scheme for the site. This continues to be applicable to the site. Condition 19 of the outline approval requires the agreement of a tree protection plan prior to commencement of development and adhered to throughout the development. As set out in paragraph 4.10 below, a satisfactory tree protection plan has been submitted here, and therefore, a condition is recommended to require implementation in accordance with it as part of this application.

4.10 The Council's Landscape Officer initially raised concerns relating to the impacts of some of the units and proposed new drives on some of the existing mature trees within the site. In response to these concerns, the applicant has provided an amended arboricultural impact assessment which has been used to inform some minor revisions to ensure the retention of existing trees on-site which might have otherwise been compromised. These revisions have been assessed by the Council's Landscape officer and they have confirmed that the scheme is now acceptable subject to conditions requiring the scheme to be constructed in accordance with the revised tree protection strategy.

Design

4.11 Condition 3 of the outline approval, required the submission and agreement of a masterplan for the site prior to the submission of any subsequent reserved matters application. This was duly submitted and agreed by the Local Planning Authority under application number 2014/0790. It is evident that the current scheme has followed this agreed document and been amended as required to meet with the requirements of the Council's Design Officer and Landscape Officer, as well as the Highway Authority. This has resulted in a layout that is considered to create a high quality layout as required by Condition 3 with the proposed house types considered to be appropriate in the context of the character and appearance of the locality.

4.12 It should also be noted that condition 4 from the outline approval limits the properties to be no more than two storey in the interests of controlling the appearance of the development in the context of the locality which is characterised by a high proportion of single storey properties. The current scheme complies with this requirement.

4.13 Condition 17 of the outline approval requires the agreement of external facing materials to be used in the development. The applicant has provided the information in relation to this as part of their reserved matters submission. The details have been duly considered and it is considered that proposed mix of bricks, tiles and render is acceptable in the context of the scheme and the locality which is characterised by a mix of traditional materials.

Highway safety

4.14 Concern has been expressed through the consultation process that the scheme would be detrimental to highway safety by virtue of increased traffic movements. However, this is a reserved matters application where the principle of residential development being served via Pigot Lane has been established. Therefore, it is not possible to consider the issue of increased traffic in the village through the current reserved matters application. It is evident that the current scheme has been assessed by the Highway Authority and they have confirmed that they have no objection.
4.15 It is apparent that condition 15 of the outline approval required that there can be no vehicular traffic route from Oaklands to Pigot Lane through the proposed development in order to prevent rat-running. The proposed lay out complies with this requirement.

4.16 All other highway related conditions, namely 8, 9, 10, 11, 13, 14, 16 and 21 continue to be applicable and must be dealt with as required. These relate to the following:

8 - Detailed plans for roads, footways, cycleways, foul and surface water drainage to be agreed
9 - Details as agreed under Condition 8 to be implemented
10 - Construction to binder course prior to first occupation
11 - Details of 1.8m footing along Pigot Lane
13 - Traffic Regulation Order to extend 30 mph limit of Pigot Lane
14 - Travel Plan to be agreed
16 - Construction traffic shall only use Pigot Lane and not Oaklands
21 - Off-site highway improvements to be implemented prior to occupation

4.17 Conditions 8, 9, 11, 13, 14 are to be complied with prior to commencement of works, conditions 10 and 21 must be met prior to first occupation and condition 16 applies to all construction traffic.

Neighbour amenity

4.18 It is evident from the proposed layout that sufficient separation distances exist between the proposed dwellings and the existing dwelling when considering the house types proposed in respect of their overall size and the position of the openings within them, resulting in the retention of adequate levels of light, outlook and privacy. In particular, the 5 proposed properties (plots 19, 20, 21, 25 and 26) which are sited adjacent to single storey dwellings, are to be single storey dwellings.

4.19 Condition 20 of the outline approval requires the agreement of boundary treatments for the site. These have been included here, not only do they relate satisfactorily to their surroundings in visual terms they also provide robust screening in relation to privacy levels where required.

Other issues

4.20 Condition 7 of the outline approval requires a written scheme of investigation for a programme of archaeological work to be submitted and approved in writing by the Local Planning Authority prior to commencement of works. This condition remains applicable, and will need to be complied with prior to commencement of development, however, it does not need to be considered as part of this reserved matters application.

4.21 Condition 12 of the outline approval requires an ecological method statement to be agreed by the Local Planning Authority prior to commencement of the development in acknowledgement of the wildlife habitat and species that exist on and around the site. This is not required to be submitted under this application as the condition is worded to allow this to be submitted prior to commencement through a discharge of condition procedure.

4.22 Condition 22 of the outline approval requires the agreement of two fire hydrants on-site prior to commencement of the development, and their installation prior to the first occupation of any dwelling they would serve. This can be complied with in due course and does not need to be agreed as part of this reserved matters application.

4.23 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.
4.24  This application is not liable for Community Infrastructure Levy (CIL) as it is a reasoned matters application whereby the outline approval was granted before the introduction of CIL.

5.  Conclusion

5.1  The principle of residential development on the site has been established via the outline planning permission for the site. In respect of the detailed scheme submitted under this reserved matters application it is considered that the scheme represents an acceptable layout and design in the context of the locality, has adequate regard for neighbour amenity, highway safety and natural features within the site.

On this basis the application is recommended for approval subject to confirmation from the Environment Agency and Anglian Water that they have no objection to the scheme.

5.2  Contact Officer, Telephone Number and E-mail:  

Chris Raine  
01508 533841  craine@s-norfolk.gov.uk
5. **Appl. No**: 2014/1642/O  
**Parish**: SWARDESTON

Applicants Name: Jenkinson Properties Ltd  
Site Address: Land Off Bobbins Way Swardeston Norwich NR14 8DT  
Proposal: Outline application with all matters reserved except for access for demolition of existing buildings, residential redevelopment and ancillary works

Recommendation: Refusal

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 04: Promoting sustainable transport  
NPPF 05: Supporting high quality communications infrastructure  
NPPF 07: Requiring good design  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 08: Promoting healthy communities  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 6: Access and Transportation  
Policy 7: Supporting Communities  
Policy 8: Culture, leisure and entertainment  
Policy 9: Strategy for growth in the Norwich Policy Area  
Policy 15: Service Villages  
Policy 17: Smaller rural communities and the countryside  
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 14: Habitat protection  
ENV 15: Species protection  
ENV 21: Protection of land for agriculture  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 10: Noise  
LEI 7: Open space provision in new development  
TRA 19: Parking standards

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.
1.5 Development Management Policies
DM1.2 Requirement for infrastructure through planning obligations
DM1.3 Sustainable location of development
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.4 Environmental Quality and local distinctiveness
DM3.1 Housing Quality
DM3.2 Meeting housing requirements and needs
DM3.9 Design Principles
DM3.11 Promotion of sustainable transport
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.16 Outdoor play facilities and recreational space
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.9 Protection of Trees and Hedgerows

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012

2. Planning History

2.1 2014/1642 Screening Opinion for development of 40 dwellings
Environmental Statement not required

3. Consultations

3.1 Parish Council
Refuse
- Development is outside the development limit
- Size of development is too big Swardeston which has limited facilities
- Create further congestion on the main road
- No evidence for the need for the additional dwellings; Swardeston was allocated 20 new homes based on the ability for the village to grow
- Forms part of an existing dwelling which is already constructed
- Far more development will be provided than allocated in local plan
- Undermine the local plan

3.2 District Member
To be determined by committee
- Major development outside the development limit

3.3 NCC Highways
Amended plans
Support with conditions

Original application
Amended plans required

- Swardeston is a small village children will need to be transported to infant and junior schools in Mulbarton, but accept that there is a continuous, if narrow footpath between the two villages and good links with Norwich
On balance could not substantiate a recommendation in the principle of development in Swardeston
- 2.4x 59 metre viability splays required in both directions
- Number of dwelling plus the nursery would justify the provision of a 5.5 metre wide carriageway and 1.8 metre wide footpaths

3.4 NCC- Planning Obligations
Funding would be via CIL
Contributions through CIL would be sought for Mulbarton Infant school

3.5 Anglian Water Services Ltd
No objection
- Mains sewage capacity is available
- Surface Water not relevant to Anglian Water and highway drain outside our jurisdiction
- Need to seek views of the Environment Agency

3.6 Environment Agency
Amended application
Support with conditions
- Wish to withdraw objection subject condition being imposed
- Suggest further clarification on Surface Water Strategy should be sorted prior to determination from the County Council and Anglian Water

Original application

Holding Objection

- Flood Risk Assessment (FRA) does not comply with the requirements of paragraph 103 of the NPPF
- FRA fails to demonstrate off site flood risk will not be increased when compared with greenfield run off rates
- Provide details of modelled surface water drainage strategy
- Demonstrate the principle of discharging surface water to the highway drainage system is acceptable from the County Council
- Give priority to use of sustainable drainage systems and confirm principle that Anglian Water will adopt features.

3.7 Flood Defence Officer
Amended proposal

- System could do more to improve ground water recharge and water quality consideration needs to be given to creating more above ground drainage features.
- Not clear whether the proposed increase in size of the soakaway onto private land will not increase flood risk
- No information has been provided on the adequacy of existing receiving watercourse to deal with increased flows from the highway and from the development site
- Clarification on adoption of underground attenuation tank and hydro-break control device
- Condition is suggested.

Original application

- System could do more to improve ground water recharge and water quality consideration needs to be given to creating more above ground drainage features.
- Not clear whether the proposed increase in size of the soakaway onto private land will not increase flood risk
- No information has been provided of the adequacy of existing receiving watercourse to deal with increased flows from the highway and from the development site
- Clarification on adoption of underground attenuation tank and hydro-break control device clarification of discharge into highway drain.
- Condition is suggested.

### 3.8 Environmental Services (Protection)

**Conditional support**

### 3.9 Technical Manager (Parks and Amenities)

**No objection**

- No concern over the proposed layout of the public open space
- Quantity is in keeping with the size of the development and location is well overlooked by residential properties.
- Off-site contribution will be required for older children’s/ adult play

### 3.10 Ecologist

**Support with conditions**

- Satisfactory Ecology report has been submitted
- Piggery building and large area of spoil need to be searched prior to removal for bats and reptiles

### 3.11 Housing Strategy Manager

**No Objection**

- Proposed affordable housing provision, mix of types and tenures of property is acceptable

### 3.12 Planning Policy

- Site allocation put forward under site specifics on this land is larger than the application site
- Scale of development would overwhelm services, some concern was expressed by highway over the access in relation to scale of the development
- Would have resulted in loss of farm shop
- Also potential deliverability issues
- Partial allocation was considered but dismissed as less favourable site than the one put forward as the preferred site

### 3.13 Design Officer

- Raised concern about the indicative layout
- Potential for the scheme to score well against the building for Life criteria
- As it stands the scheme does not satisfies the design principles in the South Norfolk Place Making Guide.

### 3.14 Representations

**Two letter of support:**

- More growth needed in the village
- Offers a familiar style of development as proposed rather than the site going up for auction
- Access is owned by applicant’s/site owner’s family
Fourteen letters of objection

- Development is outside the development boundary
- There is already a large development in the pipeline for the village
- Limited services in village, no school or post office, no health care facilities
- Development is too large in a single place for the village
- Village does not have infrastructure including roads, would cause problem with congestion with junction with Ipswich Road
- The land is higher than surrounding area will significantly overlook existing dwellings and be dominant
- No evidence to support the need for housing
- Loss of village sense of community
- Density of the development is too high
- Site needs to be better screened
- Could result in further development
- Devaluation of property
- Backland development
- Question affordable housing provision
- Loss of outlook
- Query as to whether Bobbins Way would be gravel or tarmac

4 Assessment

Site and proposal

4.1 The site is approximately 1.76 hectares in area and has been used as a growing area by Bobbins Nursery, but is currently used as agricultural grazing land and forms part of a larger field. The site is set back from the main B1113 road which is to the west. The site lies to the east of Cavell Close and to the north of properties on Wood Lane. The greenhouses relating to Bobbin’s Nursery and the farm shop are located to the north of the site. The land to the east of the site is agricultural. The access to the site is via Bobbin’s Way which currently serves three bungalows, five recently constructed dwellings and three dwellings under construction and there is planning permission for two further dwellings, this in turn joins the B1113. Bobbin’s farm shop and nursery are also served off this access.

4.2 The site slopes gently upwards from north to south and there is also a change in level between the site and properties in Cavell Close, the properties being at a lower level.

4.3 Swardeston is defined as a service village within the Joint Core Strategy and an allocation for new dwellings has been put forward as part of the site specific allocations. This site does not form part of the allocation.

4.4 The application is an outline application for residential development with access being via the B1113, access is the only matter to be considered as part of this application. An indicative layout has been provided which shows 39 dwellings being provided.

Planning Issues

4.5 The main considerations are the principle of development and policy considerations, highway, design of the development including residential amenity and open space, drainage affordable housing, landscape impact and ecology.

Principle of development

4.6 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in determining planning decisions.
Adopted policy

4.7 With regard to the Adopted South Norfolk Local Plan (SNLP), Annex 1 of the National Planning Policy Framework (NPPF) at paragraph 215 states that where a plan is adopted pre 2004, such as is the case here, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF.

4.8 By way of clarification the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) was adopted in March 2011 with amendments adopted in 2014, and as such paragraph 215 of Annex A of the NPPF as above is not applicable to the JCS.

4.9 Whilst Swardeston is a ‘service village’ as defined by policy 15 of the JCS, where a small allocation of development as well as infill development is acceptable, the site lies outside of the existing defined development boundary, and the emerging development boundary, where policy ENV8 in respect of development in the countryside applies.

4.10 This policy excludes new residential development within the open countryside unless specific criterion is met. In this case none are met. On this basis the proposed dwellings would not accord with Policy ENV8 and policy 17 of the JCS.

4.11 With regard to Policy ENV8, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectorate in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector’s observation at paragraph 101 which stated:

"With regard to Local Plan Policy ENV8, I accept that is, to some degree, the ‘other side’ of Local Plan Policy HOU4 that allows housing within Development Limits[54]. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the ‘relevant policies for the supply of housing’[54]. As such, I consider it is not out of date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy."

4.12 Therefore, it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the countryside.

4.13 With regard to Policy 17 of the JCS, this policy restricts residential development outside development boundaries unless it is affordable housing. This Policy was adopted after 2004 and therefore paragraph 215 of the NPPF as referred to above does not apply. The proposal conflicts with this Policy.

Emerging Policy

4.14 Paragraph 216 of the NPPF sets out how to determine the weight attributable to emerging Plans, depending on the stage of preparation of said documents, extent of unresolved objections to policies within the said documents and the degree of consistency with the NPPF. In this instance policy DM1.3 seeks to direct development to sustainable locations within development boundaries or on allocated sites. Furthermore adopted policies in the Joint Core strategy set out the growth strategy for the area including designating Swardeston as a ‘service village’.

4.15 The site also lies outside of the proposed development limit for Swardeston in the emerging Local Plan and as such is contrary to Policy DM1.3 of this document.
It is considered that this has significant weight, due to there being no objections to the heart of the policy and the Local Plan Examination now having taken place. As a result of the significant weight it can form part of the reason for refusal.

NPPF

As highlighted above it is necessary to have regard for all material considerations within the decision-making process, and the NPPF is one such material consideration.

Paragraph 55 of the NPPF sets out when specific exemptions should apply to allow sustainable residential development in rural areas. The applicant has not tried to demonstrate compliance with Para 55 notwithstanding this it is considered by officers that the proposal does not meet these exceptions and contrary to the NPPF.

Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.

It should be noted at this time that paragraph 49 also makes reference to how relevant policies in relation to housing are out of date if it cannot demonstrate a five year supply of deliverable housing sites. In this instance the Council has recently published a revised position indicating that a five year land supply can be demonstrated within the Norwich Policy Area and therefore as stated above Policy ENV8 continues to carry significant weight.

In terms of the presumption in favour of sustainable development under paragraph 49 of the NPPF, this confirms that sustainable development has three dimensions: economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole.

The following is an assessment of whether the scheme can be considered to represent sustainable development:

Economic Role

The NPPF highlights the economic role as “contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.”

Whilst it is acknowledged that the site is adjacent to the development boundary of Swardeston and the village has a range of local services such as a public house (closed at the time of the site visit), bakery, farm shop, village hall and garage and has a regular bus service. It is apparent that the Council can demonstrate that it has an up to date 5 year housing land supply of deliverable sites. Therefore, in the context of the economic role, and the need to provide “sufficient land of the right type” it is considered that the Council has met this requirement in respect of residential development and therefore the economic benefits of the scheme are limited when having regard to the NPPF. Although it is acknowledged that the scheme would bring some short term economic benefits as part of any construction work and in the longer term by local spending from the future occupants.

Social Role

The NPPF confirms the social role as “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”
4.26 As highlighted above, given that the Council can now demonstrate an up to date 5 year housing land supply, it is considered that this largely satisfies the requirements set out above in respect of being able to provide sufficient housing in the context of the social role of the NPPF, the social benefits of this scheme are therefore limited.

4.27 It should also be noted that notwithstanding the availability of a range of services in the village, there is no primary school or health care facilities with the nearest available facilities in Mulbarton. There is also no long term capacity available at Hethersett Academy beyond known/consented growth within its catchment. This failure to be able access secondary education in its catchment school would lead to the need to travel further afield. This causes concerns in relation to unsustainable transport practices being used and poor social cohesion if children are not at the school where they live.

4.28 Having regard to the NPPF, consideration should be given to whether this would result in unsustainable transport practices and poor social cohesion if children are not at a school where they live. It is considered in this case, that due to the low numbers of children associated with this development, the proposals would not lead to a significant impact in terms of community cohesion and transport movements that would merit a reason for refusal.

Environmental Role

4.29 The NPPF confirms the environmental role as “contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

4.30 The site is outside the existing or proposed development limit and will result encroachment on the open countryside. With this in mind the proposal would not protect or enhance the built or natural environment.

4.31 On balance, the scheme presents harm in respect of both the environmental and social roles as set out above, and the economic benefits do not outweigh these. On this basis the scheme cannot represent sustainable development.

Highways

4.32 A number of concerns have been raised about impact of the traffic generated by the proposal in particularly on the B1113. The Highway Authority has asked for amendments to increase the visibility splay in light of it being likely that the 85%ile speeds through the village will be in excess of 30mph. The proposal has been amended to reflect this. The Highway Authority also requested the widening of the access road which has not been provided due to land ownership issues. Although desirable, the Highway Authority does not wish to raise an objection on the failure to widen the road.

Design, open space and residential amenity

4.33 The NPPF, Policy 2 in the Joint Core Strategy and the South Norfolk Place Making Guide all promote a high standard of design. The Design Officer has reviewed the indicative layout submitted with the application under the Buildings for Life Criteria and considers that the scheme fails to meet a number of the criteria and does not satisfies the design principles in the South Norfolk Place Making Guide, but has potential for the scheme to score well against the Buildings for Life criteria. The submitted layout is only indicative and as this is only an outline application with appearance, layout, landscaping and scale all being reserved it is not considered appropriate to refuse the application on design grounds.
4.34 A number of concerns have been raised by residents in terms of loss of amenity particularly in relation to loss of privacy and dwellings adjacent to the west boundary having an over bearing impact on neighbouring properties. As discussed above the layout is only indicative, and therefore there is capacity to provide a scheme that makes it acceptable. However, it is reasonable to resolve these amenity issues at reserved matters stage.

4.35 The Council’s adopted guidance in respect of open space, entitled “Recreational Open Space Requirements for Residential Areas” requires on schemes of 25-50 dwellings a minimum of 1000sqm of children’s play space and 2000sqm of older children/adults recreation space. The application proposes the policy requirement area of children’s play space, and this along with details of how this will be equipped, would be secured by way of S106 agreement. With regard to older children/adults recreation space, the adopted guidance does make provision for the Council to receive a financial contribution in lieu of on-site provision if this deemed more appropriate. In this instance, following discussions with the Council’s Technical Manager (Parks and Amenities) it is considered more appropriate to secure a financial sum which can be spent on improving existing sites within the village. This would also be secured through a S106 agreement.

4.36 Policy 3 of the Joint Core Strategy requires sustainable construction, 10% energy need to be delivered by decentralised and renewable or low carbon energy. In addition the development would need to achieve Code level 4 water efficiency; these can be secured by condition.

Affordable Housing

4.37 Policy 4 in the JCS requires 33% affordable housing to be provided on the site. The indicative layout proposes 39 dwellings, with the application proposing 14 affordable dwellings, therefore complying with aforementioned policy requirement. The affordable housing provision takes account of the requirement of the S106 agreement on application 2013/0238 required the two dwellings granted under that consent (adjacent to the site) to be taken into consideration in any affordable housing requirement for any subsequent dwellings given permission. The percentage of affordable housing would be secured through a S106 agreement along with the mix and tenure of the proposed affordable units. This is in line with the requirements of the Housing Strategy Manager.

Drainage

4.38 Foul water disposal is proposed to be via the main sewer and Anglian Water has confirmed that there is capacity within the sewer.

4.39 In terms of surface water drainage, the proposed surface water strategy is to attenuate water within the site and then discharge the water on a controlled basis into the highway drain. After the submission of a revised Flood Risk Assessment the Environment Agency has removed its objection subject to a condition being imposed. They have suggested further clarification needs to be sought from the County Council with regard to discharging water to the highway drain and the adoption of SUDS areas by Anglian Water. These will be updated to committee orally.
Environmental considerations

4.40 A satisfactory contaminated land report has been submitted with the application. Environmental Services have suggested a condition to restrict external lighting given that the location is particularly sensitive. I do not consider that it would be reasonable to impose this as the lighting would only be in association with residential dwellings which would be quite localised.

Ecology

4.41 A satisfactory ecology report has been submitted with the application any potential impact on protected species can be dealt with by means of a condition

Other considerations

4.42 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.43 The application has been screened under the Environmental Impact Assessment Regulations 2011 and it was deemed an Environmental Statement was not required.

4.44 This application is liable for Community Infrastructure Levy (CIL) which would be calculated and collected at reserved matters stage

5. Conclusion

5.1 The site is outside any existing or proposed development boundary, and therefore in the absence of any special circumstances is contrary to policy ENV8 of the South Norfolk Local Plan, policies 15 and 17 of the Joint Core Strategy, policy DM1.3 of the emerging Local Plan or paragraph 55 of the NPPF.

5.2 Policy ENV8 and 17 excludes new residential development within the open countryside unless specific criterion are met. In this case none are met, therefore the proposal is contrary to these policies.

5.3 It is also evident that the scheme also fails to represent sustainable development in the context of the NPPF by virtue of the modest economic and social benefits of the scheme being outweighed by the harm to the environment identified, which is the conflict with Policy ENV8 and its intentions of protecting the landscape setting of villages and the overall rural character of the plan area.

5.4 The application is considered to be unacceptable in planning terms and is therefore recommended for refusal.

6. Reason for refusal

6.1 The principle of residential development on this site is not acceptable, by virtue of the site being outside existing and emerging development boundaries, there being a five-year land supply within the Norwich Policy Area and the development not therefore on balance being considered sustainable development. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area the proposed development is not considered to be a sustainable form of development and is considered to be contrary to saved policy ENV8 of the adopted South

Contact Officer, Telephone Number and E-mail: Helen Bowman 01508 533833 hbowman@s-norfolk.gov.uk
6. **Appl. No**: 2014/2031/O  
**Parish**: COSTESSEY  

**Applicants Name**: Mr Tony Hull  
**Site Address**: Costessey Junior School Three Mile Lane Costessey Norfolk NR5 0RR  
**Proposal**: Outline application for the erection of new extension block to create new classroom building for years R, 1 and 2. New pedestrian and emergency vehicular access to Upper Breckland Road.

**Recommendation**: Approval with Conditions

1. Outline time limit  
2. Reserved matters to be agreed  
3. In accordance with approved plans  
4. Surface Water Management Strategy  
5. Provision of relocated sports pitches  
6. External lighting details to be agreed  
7. Provision of emergency vehicular access  
8. Access in accordance with approved plans  
9. Vehicular access gradient  
10. Provision of emergency access visibility  
11. Provision of parking area  
12. Off-site highway works for pedestrian access  
13. Completion of off-site highway works  
14. Securing Traffic Regulation Order 1  
15. Securing Traffic Regulation Order 2  
16. Review of existing school travel plan

1. **Planning Policies**

1.1 **National Planning Policy Framework**  
   NPPF 04: Promoting sustainable transport  
   NPPF 07: Requiring good design  
   NPPF 08: Promoting healthy communities

1.2 **Joint Core Strategy**  
   Policy 1: Addressing climate change and protecting environmental assets  
   Policy 2: Promoting good design  
   Policy 3: Energy and water  
   Policy 6: Access and Transportation  
   Policy 7: Supporting Communities

1.3 **South Norfolk Local Plan 2003**  
   IMP 2: Landscaping  
   IMP 6: Visual impact of parked cars (Part Consistent)  
   IMP 8: Safe and free flow traffic  
   IMP 9: Residential amenity

1.4 **Emerging South Norfolk Local Plan**  
   Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 **Development Management Policies**  
   DM3.9 Design Principles  
   DM3.11 Promotion of sustainable transport
<table>
<thead>
<tr>
<th>No.</th>
<th>Reference</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>2014/0080</td>
<td>Construction of a log cabin to accommodate Costessey pre school</td>
</tr>
<tr>
<td>2.2</td>
<td>2013/2049</td>
<td>Extension to entrance lobby below existing overhanging roof</td>
</tr>
<tr>
<td>2.3</td>
<td>2011/1788</td>
<td>Variation of Conditions 2 &amp; 6 of planning permission 2008/1764/C (Y/7/2008/7021)</td>
</tr>
<tr>
<td>2.4</td>
<td>2011/0624</td>
<td>Single Storey Extension to West of Elevation of art room to provide new entrance and toilet facilities, and associated works to convert art room to new art/meeting room, including replacement windows</td>
</tr>
<tr>
<td>2.5</td>
<td>2011/0393</td>
<td>Single storey extension to west elevation of art room to provide new entrance and toilet facilities, and associated works to convert art room to new art/meeting room, including replacement windows</td>
</tr>
<tr>
<td>2.6</td>
<td>2008/1764</td>
<td>Proposed extension providing two class bases, toilet facilities, cloakroom and storage areas. Revised car park increasing spaces from 26 including two unmarked disabled bays to 38 car park spaces plus 2 disabled spaces. Areas of landscaping and planting.</td>
</tr>
<tr>
<td>2.7</td>
<td>2008/1238</td>
<td>Replacement of crittall windows with UPVC windows</td>
</tr>
<tr>
<td>2.8</td>
<td>2007/0302</td>
<td>Replacement of crittall entrance frame &amp; doors with aluminium powder coated frame with automatic door &amp; 6no high level UPVC windows to main</td>
</tr>
</tbody>
</table>
2.9 2006/1967 Replacement of Crittall windows with UPVC and replacement of fire doors to elevation facing main playing field Approval

2.10 2005/1019 Replacement of critical windows with UPVC windows and new fire door to main hall with new parent waiting shelter Approval

2.11 2002/1790 Proposed extension to existing school car park Approval

3. Consultations

3.1 Parish Council Recommend refusal
- Misrepresentation of facts in the Transport Statement, issues in Three Mile Lane ignored
- Parents block access to doctors’, dentists’ and elderly accommodation
- Application would exacerbate the situation regarding the already over-congested roads around the school site
- Parking spaces at the local shops should not be considered
- Parents making continuing journeys will not then walk to the school
- Developers should not be allowed to provide fewer than the recommended parking spaces on the site; staff/visitors parking provision should be extended and not curtailed
- Restricted parking on site would not suffice for teacher conferences and community use of the building
- A Travel Plan is essential before the application is decided
- It would result in an over development of the site with a major loss of amenity
- PC suggest a one-way system should be created through the school site with a drop-off/pick-up layby incorporated and appropriately supervised
- Parents should also be encouraged to make use of the car park at Breckland Hall by the library

3.2 District Members
   Cllr K Smith To be reported if appropriate
   Cllr G Watt To be reported if appropriate
   Cllr T East To be determined by committee

3.3 NCC Education Department No comments received

3.4 Landscape Officer Concern about loss of dominant tree in the road frontage and possible root damage to 3 trees to be retained. Proposals do not represent an improved landscape. Would like to see a more considered designed approach to the proposed planting, including more frontage planting along Upper Breckland Road.

3.5 Sport England Support with condition
- Marking out of sports pitches and all weather area

3.6 SNC Sport And Wellbeing Concur with comments made by Sport England and no further comments to make at this time.
3.7 Anglian Water Services Ltd
Submitted surface water strategy/ flood risk assessment is not acceptable however recommend planning condition regarding a surface water management strategy.

3.8 Design Officer
Verbally discussed with officer. Development is of low impact in the surrounding area.

3.9 NCC Highways
Updated comments (25th November 2014)
- Development will displace activity to the Junior School site but there will be no significant increase in pupil numbers within the area although it will result in further issues for the local highway network.
- Three Mile Lane and Upper Breckland Road benefit from traffic calming features.
- Car parking provision is marginally below NCC standards but due to sustainable location not a reason for objection.
- Suggest school designates an area for future cycle parking to meet increased demand.
- Traffic Regulation Orders required to formalise road markings in the vicinity of the school site.
- Condition required to agree position of crossing point associated with pedestrian entrance.
- Sufficient road width in the immediate area not to block carriageway.
- Some parents observed parking in the library and playing field car park and this should be encouraged by the school.
- During site observations the drop-off and pick-up process is well managed, confined to a relatively short period of time and did not result in significant delays or highway safety issues.
- Inconsiderate parking is a matter for enforcement agencies.
- Reasonable to assume additional walking and cycling to the site by parents.
- School will have a key role to play in formulating and implementing a revised Travel Plan.

Initial comments (7th November 2014)
- Concern expressed about the conflicts and overlap between this application and the nursery building application. Suggest both applications should be reviewed and resubmitted as one to allow all issues to be considered.

3.10 Representations
7 letters of objection from and 5 letters of support

Objections
- No objection to new buildings but concern about parking on Three Mile Lane.
- Surprised no-one has been hurt.
- Concern about access for emergency vehicles.
- Traffic has always been a problem and needs to be addressed.
- Cars park opposite the existing gateway making access impossible.
- New emergency access would not be any better.
- Concerned as a local business owner already affected by traffic congestion. Proper pick up and drop off arrangements are essential for the success of the proposal, reducing the risk of accidents and the successful running of the business.
Disagree with report stating volume of traffic is not expected to increase much
Suggestion that the library car park could be used is ridiculous as it is often full, especially at the end of the day
Majority of cars park inconsiderately (e.g., on footpaths, blocking driveway access, at road junctions, near retirement housing complex, on yellow lines and zigzags and in spaces for local businesses)
Business spaces are not for the school as there is nowhere for the businesses or their clients to park
Traffic has previously hindered emergency vehicles and could affect any of the local residents. It could mean the difference between life and death.
Dangerous for children crossing the road
Proposal would surely mean more cars as not all children have siblings at each school
Staggering times would only prolong the problem as many parents already arrive up to 40 minutes early and pre-school and infant school parents usually park for longer
Doubling school's pupil intake will worsen the parking problem
Infants will have much less playground space than at Beaumont Road
Development will result in a very oppressive and cramped site. Why not build on the south side and give the infants the benefit of the sunshine.
Do not consider the position to make a positive statement but an eyesore
Poor excuses given for the removal of some of the trees from the site
Report is very vague about the replacement trees proposed
Would like security lighting to be less intrusive and existing lighting problems rectified
Where is the money for the infant school coming from?
Suggest that local residents are consulted with regard to future landscaping and screening along the boundaries as residents view matters
Residents already suffer from excessive light pollution at night time and this will just be made worse. Several residents have already complained about this.
A petition has already been given to the school by residents unhappy by the proposals
[Photographs submitted by local resident of cars parked around the school area]
Breckland Road is a bus route and the road often becomes blocked
Concerned about safety to pedestrians and access to properties [on Breckland Road]
Unclear from the travel survey how this issue will be managed
Concerned that the needs and opinions of the local businesses are currently being overlooked by all parties involved in the proposals

Support
Ample space to accommodate proposals with good amount of outdoor play area for children
As both infant and junior schools are run by same headteacher it makes sense to house both on the same site
• Joining together would bring all children together and make things easier for parents who have children in both schools
• Less traffic congestion as only one drop off required
• The school run by foot would be more manageable
• Ease of transition and continuity of learning for the children

4 Assessment

4. Site

4.1 Costessey Junior School lies within the Development Limits of Costessey. Residential properties abut the south and east of the application site whilst the site is bounded to the north by Upper Breckland Road and the west by Three Mile Lane. There are also some residential dwellings adjoining the south west boundary of the site. The site measures less than a hectare with the existing building located in the northern section of the site. Playing fields and open space extend to the south of the site, an area of trees to the east and a laid out vehicular parking area to the north. Existing hard standing playing courts are laid out to the north east of the site and lie within the area currently proposed for development. Vehicular access to the site is from Three Mile Lane.

Proposal

4.2 The applicant is seeking outline consent with only access and layout to be considered as part of the current proposal. The proposal would create an additional teaching block on the north east side of the existing school with a corridor linking to the main building. The extension is specifically required for the relocation of Costessey Infant School to the application site and would incorporate classrooms and associated areas for year groups R, 1 and 2. As a result Costessey Infant School and Costessey Junior School would be amalgamated into a single school. The amalgamation into a single school does not in itself require planning permission. Only the impact of the extension to this school can be considered under this application.

4.3 The current proposal also includes both pedestrian and emergency vehicle access into the site. These access points are located along the north east boundary of the site, opposite dwellings located on Upper Breckland Road.

Issues

4.4 Costessey Junior School was granted 'Academy' status in September 2012 and as such the application falls to the Local Planning Authority to determine and not the County Council as is the usual procedure for school planning applications.

4.5 At the time of considering this application Norfolk County Council is in receipt of a planning application for the addition of a pre-school nursery on the same site. A number of conflicts exist between the two proposals, most notably an overlap between the red lines for each application and the proposed access locations for each. In addition, the proposed nursery building would be sited on the area designated on the Proposed Site Plan (drawing reference 861/04) as a 'wildlife area for forest school lessons'. In the event that planning permission is forthcoming for both proposals it would not be possible for the applicant to implement both schemes on the site. The applicant has been made aware of the conflict between the proposals but at this time has chosen to proceed with the determination of both applications. Whilst regard should be had to the nursery application, it should be afforded limited weight only at this time as it remains undetermined.
Policy

4.6 National planning policy puts great importance on the need for education facilities to evolve to meet local community need. In particular, paragraph 72 of the National Planning Policy Framework states that local planning authorities should give great weight to the need to "create, expand or alter schools". National policy also states that existing playing fields should not be built upon unless the loss would result in an equivalent or better provision of facilities (paragraph 74). The NPPF is a material consideration in the determination of planning applications.

4.7 Due regard must also be had to the impact of the development on the neighbouring properties, businesses and the local highway network in accordance with the local plan policies. Local Plan policies IMP8 and IMP9 are of particular relevance to this application along with Policy 2 of the Joint Core Strategy.

4.8 The principle of an extension is therefore considered to be acceptable. The key issues to be considered are the impact on the playing fields, highways, design, landscaping and residential amenity.

Playing Field/ Sports Pitches

4.9 The extension would be sited on an existing area of marked out hard play games courts (netball courts). These are to the north of the site and are separated from the main playing field by the school building. The applicant proposes the provision of 3 all-weather games courts to the south of the school building to replace the existing hard courts. As shown on the Proposed Site Plan the existing playing pitches and training grids can also still be relocated within the playing field.

4.10 Sport England have assessed the proposal and have not raised an objection, subject to a condition requiring the provision and retention of the all-weather surfaced pitches as proposed. Sport England is satisfied that the proposal will result in a sports facility that is of sufficient benefit that would outweigh the loss of the playing field. The proposed development is therefore considered to be in accordance with paragraph 74 of the NPPF.

Highways

4.11 Policy IMP8 of the Local Plan relates to the safe and free flow of traffic and the requirement for new development not to damage the safety of highway users. The Highway Authority has assessed the proposal and has not raised an objection to the proposal. It is acknowledged that there will be some additional activity on the local highway network, particularly at school drop-off and pick-up times, however it is not considered to be to a degree that would substantiate a highway objection. In particular it is noted that whilst the alterations to the school would displace activity from the Beaumont Road/Crown Road area to the Three Mile Lane/Upper Breckland Road area there would not be an overall increase in pupil numbers within the area.

4.12 Traffic calming measures are currently in place within the immediate vicinity of the school site and the applicant proposes that these will be replicated at the new pedestrian and emergency accesses. A condition to formalise the alterations to the road markings by way of a Traffic Regulation Order is requested by NCC Highways.

4.13 The applicant proposes the creation of an additional 36 parking spaces on the site, resulting in an overall provision of 74 spaces for staff and visitors. This provision falls slightly below the number required by Norfolk County Council's adopted parking strategy however an objection has not been raised to this shortfall due to its marginal nature and the sustainable location of the site in terms of alternative transport modes including public transport, cycling and walking.
4.14 A number of concerns have been raised by local residents regarding inconsiderate parking by some parents during the school drop-off and pick-up times and the resultant impact on highway safety in the local area. These issues have been considered by the highways officer however it has been concluded that the carriageway is of sufficient width not to be blocked in the event of vehicles parking on both sides. Ongoing concerns about a minority of parents who may park inconsiderately are an enforcement issue and a matter for the related enforcement agencies. Furthermore, there is an existing under-utilised option for parents to park at the local library across the road from the school site and walk the short distance to the school. Increased use of this car park may address some of the public nuisance issues that can arise at peak times. The school is well located in a large residential area and with the amalgamation of two schools it would also be reasonable to assume that some parents will choose to cycle or walk their children to a single school site.

4.15 Having considered the representations received, and taking into account the comments received from NCC Highways who have confirmed that the proposals are acceptable, I am satisfied that the application accords with Local Plan Policy IMP8.

Design

4.16 The application considers the layout of the site with the scale and appearance to be the subject of subsequent reserved matters applications. I consider that the extension would be sited in a position that would relate well to the existing school building, minimising the loss of playing fields and the need to encroach into the southern section of the site.

4.17 Although the applicant has indicated an extension block of modern appearance the final design and materials would be subject to further discussion and assessment. Overall the development would not appear unduly prominent within the streetscene and I do not consider that it would result in an over development of the site.

4.18 The existing car park would be extended to accommodate the additional spaces proposed and whilst there would be a visual impact associated with this the site is bounded to the north by a hedgerow that would provide some screening. I do not consider that the visual impact of the extended car park would be unreasonable in the context of the site.

4.19 The proposal is therefore considered to accord with Policy 2 of the Joint Core Strategy, although reserved matters will agree the final design.

Landscaping

4.20 Policy IMP2 refers to the landscaping of development sites. Concerns have been raised both by the landscape officer and a local resident about the loss of a significant tree from the site to facilitate the provision of the extended parking area. Although the alterations to the site are not considered to result in an overall improvement to the existing landscaping it is not to an extent which would cause significant harm to the surroundings. The landscape officer has suggested that a reduced parking provision and revised layout may address some of his concerns however as noted above the applicant already proposes a marginal shortfall and as such I do not consider that it would be reasonable to further reduce the number of spaces provided.

Residential amenity

4.21 A reasonable distance would be maintained from the new building to the boundary of the site. Whilst it is inevitable that the development would result in a site that appears to be more cramped when viewed from Upper Breckland Road I consider that the separation that would remain between the application site and those dwellings closest to the extension would be sufficient to avoid the development having a detrimental impact.
4.22 Comments have been received from local residents regarding the lighting of the site. The existing lighting arrangements are not a matter for the current planning application. A planning condition to secure the submission and agreement of external lighting details associated with this development is suggested to address this concern.

Other matters

4.23 Whilst Anglian Water have not raised an objection to the proposal they have advised that the submitted surface water strategy/flood risk assessment is unacceptable and further discussions should take place between the applicant, Anglian Water and the Environment Agency to ensure a suitable strategy is agreed upon. This information should be secured prior to the commencement of works on site and a suitable condition is suggested.

4.24 As noted above, due to the conflicts that exist between the proposals the applicant would be unable to implement planning approvals for the school extension and the pre-school nursery. As such whilst the nursery proposal should be noted the impact of an additional building on the site, as well as the additional access points, does not require further consideration at this time. In the event planning consent is granted for the current scheme assessment of the nursery proposal would need to include an assessment of the impacts of that development in light of the school extension. Notwithstanding the above it should be noted however that the trees that are shown in this application to form a ‘forest area’ are within the red line of the nursery site but fall outside the red line of this application. As such although they are shown on land that is shown to be in the control of the applicant their retention could not be secured as part of this application.

4.25 Policies 1 and 3 of the Joint Core Strategy require the sustainable construction of new development, the provision of renewable energy and the maximisation of water efficiency on site. The proposed development would fall just below the size threshold required for the inclusion of 10% renewable or low carbon energy however it is strongly recommended that the applicant considers this requirement during the preparation of the reserved matters application. Water efficiency is also encouraged to be maximised on site.

EIA

4.26 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011. The environmental, social and economic impacts have all been considered and are adequately addressed as detailed in the above report and subject to the recommended conditions.

Financial considerations

4.27 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.28 This application is liable for Community Infrastructure Levy (CIL) to be calculated at reserved matters stage.

5. Conclusion

5.1 As detailed in the report, whilst regard should be had to the nursery application which the County Council are currently considering, it should be afforded limited weight only at this time as it remains undetermined.
5.2 This application seeks approval of the principle, access and layout of the extension of the building. The principle, impact on existing sports pitch provision, highways impacts, landscaping, residential amenity and layout are all considered to be acceptable on balance and Officers consider that a detailed scheme at reserved matters stage can be delivered to accord with the development plan.

5.3 The outline application is therefore recommended for approval subject to the imposition of conditions as detailed in the report.

Contact Officer, Telephone Number  Kate Fisher 01508 533985
and E-mail: kfisher@s-norfolk.gov.uk
Development Management Committee

10 December 2014

Major applications on land owned by and submitted by South Norfolk Council

7. **Appl. No**: 2014/2278/RVC  
   **Parish**: LONG STRATTON

   **Applicants Name**: South Norfolk Council - Mr Stuart Bizley  
   **Site Address**: Cygnet House Swan Lane Long Stratton Norfolk NR15 2UY

   **Proposal**: Variation of conditions 2, 3, 7, 8, 10, 11, 12, 14, 15, 16, 17, 20, 22, 23, 28, 30, 31 of planning permission 2013/0265/O to enable demolition prior to commencement of development and variation of condition 29 to vary red line for alterations to access

   **Recommendation**: Approval with Conditions

   1. **Time limit**
   2. **Reserved matters**
   3. **Details of roads**
   4. **Standard Estate Road**
   5. **Construction of roads**
   6. **Parking for commercial units**
   7. **Cycle parking**
   8. **Contamination**
   9. **External lighting - details required**
   10. **Details of noise sensitive development**
   11. **Foul and sewage details**
   12. **Surface water drainage scheme**
   13. **Code level for water**
   14. **Ecological mitigation**
   15. **Archaeology**
   16. **Finished floor levels**
   17. **Boundary treatments**
   18. **Hard and soft landscaping**
   19. **Tree survey/AIA**
   20. **Landscape management plan**
   21. **Implementation tree protection measures**
   22. **Provision of fire hydrant**
   23. **Retaining walls - details required**
   24. **Commercial B1 Office only**
   25. **Pedestrian link to St Andrews close**
   26. **Energy efficiency**
   27. **No hardstanding until surface water strategy approved**
   28. **Materials - details to be submitted**
   29. **Submitted/amended plans**
   30. **Masterplan**
   31. **Affordable housing**
   32. **Demolition in accordance with plans and specific methodology**

1. **Planning Policies**

1.1 National Planning Policy Framework
   - NPPF 01: Building a strong competitive economy
   - NPPF 03: Supporting a prosperous rural economy
   - NPPF 06: Delivering a wide choice of high quality home
   - NPPF 07: Requiring good design
   - NPPF 10: Meeting the challenge of climate change, flooding and coastal change
1.2 Joint Core Strategy
Policy 1: Addressing climate change and protecting environmental assets
Policy 2: Promoting good design
Policy 3: Energy and water
Policy 4: Housing delivery
Policy 5: The Economy
Policy 14: Key Service Centres
Policy 6: Access and Transportation

1.3 South Norfolk Local Plan 2003
ENV 14: Habitat protection
ENV 9: Nationally and locally important archaeological remains (Part Consistent)
ENV 15: Species protection
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
IMP 2: Landscaping
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity

1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.2 Requirement for infrastructure through planning obligations
DM1.3 Sustainable location of development
DM2.1 Employment and business development
DM3.1 Housing Quality
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.15 Pollution, health and safety
DM3.16 Outdoor play facilities and recreational space
DM3.17 Improving the level of local community facilities
DM3.2 Meeting housing requirements and needs
DM3.9 Design Principles
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions
DM4.10 Incorporating landscape into design
DM4.11 Heritage Assets
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.9 Protection of Trees and Hedgerows
DM4.5 Natural Environmental assets - designated and locally important open spaces

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012
2. **Planning History**

2.1 2013/0265  Outline application for the demolition of Cygnet House and development of up to 50 residential units (class C3) and up to 800 square metres (class B1) floor space, together with associated highway works  Approved

2.2 2012/0562  Screening opinion for residential development  EIA Not required

3. **Consultations**

3.1 Parish Council  No comments received

3.2 District Member  To be reported if appropriate

3.3 Historic Environment Service  No objection subject to the removal of the foundations being archaeologically monitored.

3.4 Ecologist  To be reported

3.5 NCC Highways  No objection. Comment on indicative layout to inform the reserved matters application.

3.6 Environmental Services (Protection)  No objection subject to a number of methodology criteria

3.7 Environment Agency  No objection

3.8 Representations  No letters of representation received

4. **Assessment**

4.1 Outline planning permission for the redevelopment of the site to demolish the existing building and provide up to 50 residential dwellings together with up to 800sqm of B1 Office floor space was granted in April 2014 (ref 2013/0265/O). Only the principle, number and access were for consideration at that time with all other matters reserved.

4.2 This application relates to a variation of a number of conditions on that original outline consent relating to early demolition and a minor revision to the red line only. All other issues relating to the principle of the proposal (including demolition); highway and access considerations; affordable housing; ecology and landscape principles; archaeology; and potential impacts on residential amenity have not materially changed since that decision and as such are still considered acceptable in line with the original report (2013/0265) which is attached as Appendix 2. The S106 secured funding contributions towards education and library provision, provision of on-site play and open space and funding for older child recreational facilities. Affordable housing was secured by condition. No amendment to that S106 agreement is required and the obligations secured continue to apply to this varied consent.

4.3 This application seeks to vary that consent in two ways, firstly to allow demolition prior to discharge of the pre-commencement conditions and approval of reserved matters; and secondly to amend the red line of the application site to facilitate access to the existing lodge for proposed parking for the commercial development.

Exclusion of demolition from the pre-commencement conditions
The applicant wishes to deliver the development in a timely manner and as such would like to commence demolition of the building early next year before all conditions have been fully discharged and the reserved matters approved.

Demolition constitutes development, therefore any works of demolition constitute an implementation of the planning permission and consequently all pre-commencement conditions would need to be discharged prior to the demolition unless the permission is specifically varied.

In order to facilitate early demolition, this application therefore seeks to vary the pre-commencement conditions on the application to specifically allow demolition prior to commencement.

It is not unusual to allow demolition to take place prior to the discharge of all conditions, providing this is explicit in the permission and all matters and conditions that may be affected by the demolition have been fully considered. In this case the conditions that need consideration are archaeology, ecology and site contamination.

Information has been submitted by the applicant to demonstrate that by securing these alterations, the reasons for the imposition of the planning conditions would not be prejudiced.

In respect of Archaeology, the Historic Environment Service has advised that subject to the removal of the foundations being archaeologically monitored, that there is no objection to the demolition of the building prior to the archaeology condition on the outline being discharged.

In terms of protected species, the applicant has submitted a bat and reptile survey which concludes that there is little potential for bats roosting in the building and no further work or mitigation is required. It is not therefore considered that the demolition of the building would result in any harm to protected species and subject to no objection from the County Ecologist, the proposal is considered acceptable in this respect.

In regard to contamination, a report has been submitted by the applicant to specifically address how the demolition of the building may affect the implications of previously identified contamination which was the presence of hydrocarbons beneath the site of the former heating oil tank and any impacts on groundwater. Neither Environmental Services nor the Environment Agency has any objection to the proposal subject to conditions in respect of the methodology.

The health and safety of the demolition will be covered by the required demolition notice that will need to be submitted to the Council’s Building Control Service at least 6 weeks prior to the demolition.

Subject to no objections from the outstanding consultees in respect of the above matters, it is considered that allowing the demolition to take place prior to discharge of conditions or approval of reserved matters would not prejudice the intentions of the conditions imposed on the outline consent and would not result in any harm in respect of protected species, contamination or archaeological interests.

Variation to the approved red line of the application site

In order to ensure required highway works can be undertaken at the secondary entrance to the site (at the entrance to the existing Lodge), a minor revision to the red line is proposed.

The key test as to whether the red line can be varied by way of a S73 variation of condition application, is whether the proposal would alter the development in scale or nature so that it is substantially different from the approved development.
4.16 The approved plan for outline consent 2013/0265/O clearly showed the lodge and its associated car parking within the red line of the application and it is noted on the approved plan as 'commercial space vehicular and pedestrian entrance'. These two factors coupled with the fact that the primary means of access is unchanged, leads Officers to conclude that the small increase in the red line area to take this up to the entrance to the lodge indicated on the plan would not alter the nature of the development or be substantially different to the approved development. Accordingly a S73 variation of condition application is considered an acceptable method to consider the minor revisions to the red line plan.

4.17 The Highway Authority have raised no objection to the proposals and the application is therefore acceptable in respect of matters of highway safety and the free flow of traffic. Full details of the estate road layout will need consideration at the reserved matters stage.

Appropriate assessment

4.18 The proposal would not affect the integrity of any internationally protected sites (Special Protection Areas, Special Areas of Conservation) individually or in accumulation with other permitted development and extant consents in the surrounding area and therefore, in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, it is considered that the development would not have a significant impact on any protected habitats and accordingly no Appropriate Assessment of the development is required.

EIA

4.19 The original outline was screened under the Environmental Impact Assessment (EIA) Regulations 2011, this concluded that the Development was not EIA development and did not require an Environmental Statement. Consideration has been had to the amendments sought and the EIA regulations. It is not considered that the amendments now sought would give rise to significant impacts and the S73 application itself is not EIA development.

Other considerations

4.20 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.21 This application is not liable for Community Infrastructure Levy (CIL) as is a variation of an outline which was approved prior to the implementation of CIL.

5. Conclusion

5.1 Subject to no objection from outstanding consultees and the imposition of further conditions, it is considered that the proposals to amend the red line and to amend conditions to allow demolition prior to commencement are acceptable and accord with the Development Plan.

Contact Officer, Telephone Number Tracy Lincoln 01508 533814
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Appendix 2

Development Management Committee

Major applications submitted and on land owned by South Norfolk Council

   Parish : LONG STRATTON

Applicants Name : South Norfolk Council
Site Address : Cygnet House Swan Lane Long Stratton Norfolk NR15 2UY
Proposal : Outline application for the demolition of Cygnet House and
development of up to 50 residential units (class C3) and up to 800
square metres (class B1) floor space, together with associated
highway works

Recommendation : Approval with conditions

1  Outline Permission Time Limit
2  Standard outline requiring reserved matters
3  Details of roads, footways and surface water
4  Roads to be constructed in accordance with specifications agreed
5  No occupation of dwellings/commercial unit until roads/footways
   constructed to binder course
6  Commercial units to provide for at least 26 cars and provide Light
   goods delivery vehicle parking and turning
7  Details of Cycle Parking
8  Contaminated land - submit scheme
9  Full details of external lighting
10  Details of construction work
11  Details of foul water disposal
12  Details of Surface Water based on sustainable water drainage
    principles
13  New Water Efficiency
14  Ecology Mitigation
15  Archaeological work to be agreed
16  Slab level to be agreed
17  Boundary treatment to be agreed
18  Implement landscaping scheme
19  Arboricultural details as part of reserved matters
20  Landscaping management plan
21  Tree protection plan
22  Fire Hydrants
23  Management/adoption and Management Plan for surface water
    drainage
24  Details of retaining walls
25  Restrict use to B1 uses only
26  Provision of pedestrian link to St Andrews Close
27  10% of dwellings have renewable energy measures

Subject to S106 agreement to secure affordable housing, commuted sums for on-site play areas;
off-site older children’s play contribution, education and library.

1. Planning Policies

1.1 National Planning Policy Framework
NPPF 03: Supporting a prosperous rural economy
NPPF 06: Delivering a wide choice of high quality homes
NPPF 07: Requiring good design
NPPF 10: Meeting the challenge of climate change, flooding and coastal change

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Development Management Committee

1.2 Joint Core Strategy
   Policy 2: Promoting good design
   Policy 3: Energy and water
   Policy 4: Housing delivery
   Policy 5: The economy
   Policy 14: Key Service Centres
   Policy 20: Implementation

1.3 South Norfolk Local Plan
   ENV 14: Habitat protection
   ENV 15: Species protection
   HOU 4: Residential development within the defined Development Limits of the
   Norwich Policy Area settlements, and at selected locations along strategic routes
   IMP2: Landscaping
   IMP 8: Safe and free flow traffic
   IMP 9: Residential amenity
   ENV9: Nationally and locally important archaeological remains!

1.4 Supplementary Planning Document
   South Norfolk Place Making Guide 2012

2. Planning History

2.1 2012/0562 Screening opinion for residential development EIA Not Required

3. Consultations

3.1 Parish Councils
   Long Stratton
   Would recommend approval but make following comments:
   - Concern that the junction of Swan Lane and the A140 would need improving to cope with the extra traffic especially as there is already planning permission for 120 homes in Thorston
   - A pedestrian crossing over Swan Lane to assist children walking to school and other residents accessing the doctors etc is a must and has not mentioned in the planning application.
   - It is not clear on the plan if there is to be a pedestrian access from St Andrews Close; is thought this was mentioned in the original plan.
   - Are these homes to be counted in the proposed 1800 homes that are going to be built in the village

   Thorston and Hapton
   - Have concerns over the increase in traffic on Swan Lane and subsequently the increase in traffic at the end of Swan Lane to the A140.
   - There is already traffic using the rural roads through the parish as rat runs and the roads are not suitable.
   - It was felt that traffic lights at the end of Swan Lane to the A140 should be considered to alleviate this.

3.2 District Members
   To be reported if appropriate

3.3 Anglian Water Services Ltd
   - There are assets close to for crossing the site. The site layout will need to take account of this.
   - Foul drainage from this development is in the catchments of Long Stratton STW that at present has available capacity.
3.4 Design Officer

Supports the outline application

- An analysis of the form, layout and character of Long Stratton has been carried out that helps to create a robust design principles as set out in the South Norfolk Place-Making Guide.
- The intended appearance of the development combines traditional building forms and materials in a contemporary context. As with all outline applications the success on how the details design of house types is achieved will come via the reserved matters stage.
- Pedestrian and vehicle movement across the site is proposed through a network of footpaths and streets that allow connections to Swan Lane and the existing residential areas of Long Stratton to the east.
- Building for Life 12 assessment carried out – 9 Green and 3 Ambers

3.5 Ecologist

Note the findings of the Ecological report and consider fit for propose.

Recommend the following conditions:

- Timing of works for breeding birds as per 5.3.1 of Ecology report
- Reptile surveys before reserved matters stage as per section 5.1.1. of Ecology report
- Details of planting and enhancement scheme

3.6 NCC Highways

No objections, suggest the following conditions:

- No works to commence on site until details of roads, footways and surface water agreed
- Works to be carried out in accordance with specifications agreed
- No occupation of dwellings/commercial units until roads/footways constructed to binder course
- Commercial units to provide for at least 26 cars and provide Light goods delivery vehicle parking and turning
- Details for the parking of cycles

3.7 Housing Enabling and Strategy Manager

The applicant proposes 50 dwellings, under JCS Policy 4 this produces a target of 33% affordable homes (16.5 rounded up to 17).

The Design and Access Statement says that 'the scheme proposes to make provision for 10% comprised of affordable housing'. The applicants have submitted on a confidential basis a full financial appraisal of the scheme. This evidence has been investigated by an expert consultant (District Valuer) for the Council, and it is concluded that the evidence provided justifies 10% affordable
Development Management Committee

3.8 Environmental Services (Protection)

No objection in principle. Anglian Water’s advice is that there is sufficient flow capacity along the public sewer. Note source heat pumps are proposed to be potentially used and advise conditions to agree locations. Lighting details should be agreed to ensure compliance with ‘secured by design’

Suggest the following conditions:
- Contamination land
- Details of source heat pumps
- Details of any external lighting
- Details of protecting dwellings from noise during construction

3.9 Environment Agency

Original scheme
Object to the application due to the absence of an acceptable Flood Risk Assessment (FRA), as it does not comply with the requirements set out in paragraph 9 of the Technical Guide to the NPPF.

Comments on additional information
The revised Flood Risk Assessment (FRA) addresses our previous objection.

Suggest the following conditions:
Details of surface water on sustainable drainage principles

3.10 Landscape Officer

Original scheme
Further information required to show a preliminary plan to show the trees’ positions along with their constraints, preferably in relation to the indicative proposed layout. The plans should be reference to the tree survey data.

Comments on updated information
- Still concerns that insufficient regard has been given to the anticipated growth of the existing trees on the site.
- I accept that this is only an outline application but on arboricultural grounds alone the current indicative layout appears to be unsatisfactory. In order for the stated aspiration for the tree retention to be achieved there will need to be revisions and a bespoke condition will be required for a reserved matters application.

3.11 Historic Environment Service

Original comments
The submitted desk based assessment is insufficient to describe the impact of this development on the impact of this development on the significance of any heritage assets at present, and a field evaluation is necessary, in accordance with paragraph 126 of the NPPF.

Recommend application is withdrawn and the applicant be requested to withdraw their application and resubmit with the results of field evaluation.
Comments on additional survey and information

The proposed development area has been studied via a desk based assessment, and the south east of the site has been subject to an archaeological field evaluation. Whilst no significant archaeological deposits were found in the field evaluation, it did not study the area of highest archaeological potential - to the north west of the site. Adjacent to the northwest boundary, quarrying and later works uncovered a Roman hearth, several Roman urns and a horse skull in association with Roman pottery - this potential has not been explored.

Archaeological condition and brief will be required.

<table>
<thead>
<tr>
<th>3.12</th>
<th>NCC- Planning Obligations</th>
<th>Contributions will be required for, library provision, education. Condition for fire hydrants</th>
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| 3.13 | Flood Defence Officer     | No objections  
Suggest the following conditions  
- Details of sustainable surface water proposal  
- Details of management/adoptions proposals of drainage features  
- Details of effective Management Plan for drainage features |
|      |                           | Foul Drainage Advisory - Anglian Water has advised that the foul drainage from the site is in the catchment of the Long Stratton Sewage Treatment Works that has available capacity for flows from this site. |
| 3.14 | Internal Drainage Board   | The site lies outside of the Norfolk Rivers Internal Drainage Board district but surface water run-off may drain into the IDB – may need a financial contribution |
| 3.15 | Representations           | 9 letters of objection received raising the following concerns:  
- Access will be on to Swan Lane, together with site at Chequers Road with outline planning permission for 120 dwellings will generate a lot more traffic using this road, children have to access Swan Lane to get to schools and feel that a pelican crossing is vital, should be included in the plans  
- Was assured bungalows would be built adjacent to boundary  
- Concerned will be overlooked, loss of views  
- Increase noise levels  
- Increased use of Swan Lane and congestion  
- Dangerous for children/parents that use route for walking to schools  
- Impact on Doctors Surgery  
- When purchased property not made aware of any proposed planning development  
- Would like site to remain as is with trees and greenery and wildlife undisturbed, peaceful and quiet ambience remain  
- If landscaped will need to be of significant height to avoid overlooking  
- Access a problem and will be dangerous for pedestrians  
- Noise form demolition  
- Concerned about eastern boundary, plot 1 is too close, no landscaping, propose moving Plot 1 house to side of Plot 5  
- Landscape should be continued down the boundary up to the pond  
- Loss of daylight in the garden  
- Not enough effort to find a new use for Cygnet House |
2 letters of support with following comments:

- Overall acceptable but raise the following points for consideration - similar bungalows to be provided, no vehicular access between two developments, pedestrian crossing on Swan Lane near the School
- Support buy do not want to be overlooked
- Read Ecology report, please considering wildlife and bird life cycle
- Hope I will not see decrease in value of property

4 Assessment

4.1 The application has been submitted by South Norfolk Council and the majority of the site is owned by South Norfolk Council and extends to approximately 2.48 hectares and is situated within the development boundary for Long Stratton.

4.2 The site is situated between Swan Lane to the south, South Norfolk House to the west, an area of open land used for agricultural purposes to the north, and residential development situated off St Andrews, St James’ and St David’s Way, to the east. The site is roughly triangular in shape. There are two buildings located within the site – Cygnet House a former Care Home, which is currently vacant and The Lodge, which is occupied by South Norfolk Council. The majority of the site, which is located to the north of Cygnet House, comprises open over grown scrub land, together with a number of trees of various ages. An area of managed open space, which incorporates a tree circle, is situated toward the south of the site and to the west of Cygnet House.

4.3 Pedestrian and vehicular access to the site is gained via a link road connecting South Norfolk House with Swan Lane. A T-junction from the link road provides access to the site and Cygnet House.

4.4 It is important to note that the topography of the site varies significantly between its southern and northern boundaries. In particular, there is a steep increase in levels to the north of Cygnet House.

4.5 The application seeks outline planning permission for the entire area encompassed by the red line site boundary. Details of the layout, scale, landscaping and appearance of the site are reserved for future determination. Details of the means of vehicular access into the site from the surrounding access network are submitted in detail at this stage. However, details of access within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes are reserved for future determination.

4.6 The application seeks outline planning permission for the redevelopment of Cygnet House and surrounding land to provide up to 50 residential units (Class C3) and up to 800 square metres of business floor space (Class B1), two storey, together with associated highway works. This includes the demolition of Cygnet House but the retention of The Lodge.

4.7 The application has been submitted with the following information:

- Planning Statement
- Design & Access Statement
- Transport Statement prepared by
- Ecology Survey
- Arboricultural Implications
- Assessment prepared
- Archaeological Desk
- Utilities Review
- Energy Efficiency Statement
- Flood Risk Assessment (FRA)
4.8 As a result of the comments received by statutory consultees further information was submitted to overcome these concerns, and the following additional information has also been submitted, as follows:

- Revised Flood Risk Assessment
- Archaeology Evaluation Report
- Financial Viability Assessment
- Tree Constraints Plan in context of the indicative layout

4.9 As the site is located within the defined development limits for Long Stratton a key service centre, there is a presumption in favour of redeveloping the site, in accordance with policy HOU4 of the SNLP which is still consistent with the NPPF together with Policy 14 of the JCS. Policy 14 allocates 'at least' 1,800 new dwellings to Long Stratton. 1,800 new dwellings are still required in order to deliver a by-pass for the village, so the dwellings proposed in this application would be additional to the minimum 1,800 allocation. The only part of the red line site that is not within the development limits for Long Stratton is a 'triangular' area of trees to the top north-west part of the site, where the trees are to be retained and this part of the site will not be developed and will form a landscape back drop to the proposed gardens. The proposed new B1 commercial space, to be located in one building, replaces the loss of the former Care Home (Cygnet House) and therefore does not result in a loss of commercial use on the site, which is to be welcomed. The proposal for new employment uses is consistent with section 1 of the NPPF and Policy 5 of the JCS. Given the principle of development is supported, the main areas for consideration are highway and access; layout, form and character of the development; affordable housing; ecology and landscape; archaeology and residential amenity.

Highway and Access

4.10 The principal vehicular access to the site is proposed to be taken from the existing junction between the site and the link road connecting Swan Lane and South Norfolk House – utilising the existing access to the site and Cygnet House. This will also provide a pedestrian route to the site. All other highway works are reserved for future determination.

4.11 The indicative Site Plan shows the potential layout of internal roads within the development site. The roads will be constructed to appropriate standards and include footpaths where necessary. Pedestrian access to the site is proposed to be enhanced through the creation of a link to St Andrew's Close. The creation of the link will require the demolition of a garage associated with 4 St Andrews Close. The route and material of the link is reserved for future determination and it is important this link is secured via a planning condition. Pedestrian access improvements are also include a new footpath from the site to Swan Lane.

4.12 The views of both Parish Council’s and a number of residents is noted including the request for a Pelican Crossing on Swan Lane but in highway terms this is not required for the proposed scale of development. The Highways Authority has not raised any objections to the proposed access arrangements and the indicative layout, but they have suggested that the proposed B1 use should have at least 26 car parking spaces and this requirement will be conditioned accordingly. I am therefore satisfied that with appropriate conditions the proposal is acceptable in highway safety terms and satisfies the requirements of policy IMP8 of the South Norfolk Local Plan (SNLP).
Development Management Committee

Layout, form and character of development

4.13 Although this is an outline application with appearance, landscape and layout being reserved it is important that there is sufficient indicative information submitted with the application to assess whether the development will enhance the form and character of the area in accordance with Policy 2 of the JCS and meets the relevant design principles of the South Norfolk Place-Making Guide. The site is currently defined by a variety of attractive assets, for example mature trees, high quality landscaping and varied topography.

4.14 The application has been submitted with a Design and Access Statement and the supporting information successfully demonstrates that the indicative layout capitalises on the key aspects mentioned above by creating a well structured building layout that builds on the quality of the surroundings and the sites features.

4.15 The relationship of the new commercial space and the housing works well. The submitted analysis of the form, layout and character of Long Stratton has been carried out and helps create robust design principles as set out in the South Norfolk Place-Making guide. The intended appearance of the development combines traditional building forms and materials in a contemporary context. The success of this will depend on how the detailed design of houses is achieved in the reserved matters stage.

4.16 Pedestrian and vehicle movement across the site is proposed through a network of footpaths and streets that allows connections to Swan Lane and the existing residential area to the east, to St Andrews Close. The latter would need to be secured by way of the reserved matters application.

4.17 Overall, the application and provides sufficient certainty and demonstrates that there is capacity to achieve a high quality design when assessed under the Building for Life 12 criteria, scoring 9 Greens and 3 Ambers at the outline stage. The proposal therefore accords with policy 2 of the JCS and South Norfolk Place-making Guide.

Affordable housing

4.18 The applicants propose up to 50 dwellings. Under JCS Policy 4 this produces a target of 33% affordable homes (16.5 rounded up to 17).

4.19 Within the submitted Design and Access Statement the applicant states that ‘the scheme proposes to make provision for 10% of residential units to be comprised of affordable housing’. At the time of submission the applicant did not submit any evidence to back up this statement. A confidential viability assessment was subsequently received and as the Council is the applicant this was referred to the District Valuation Office (DVO) to assess. The DVO has concluded that the evidence provided justifies 10% affordable housing. Consequently, the Council’s Housing Strategy Manager, Keith Mitchell, accepts that this application will deliver only 5 affordable homes on-site and Policy 4 of the JCS recognises that affordable housing provision is dependent on the overall viability of development.

4.20 In the Design and Access Statement the applicants state that they wish to determine the tenure of the affordable housing at the reserved matters stage, however it is recommended and is already being discussed in the preparation of the S106 agreement that the details of the affordable housing (size, type & tenure) be agreed at the outline stage so that there will be certainty about what is to be provided. A ‘claw back’ provision in the S106 should also be secured.

Ecology and landscape

4.21 An Ecology report has been submitted with the application and is considered to be fit for purpose by the County Ecologist who recommends that the proposed mitigation outlined in the report are considered and should be attached as conditions to any permission. With
these conditions I am satisfied the proposal accords with policies ENV14 and 15 of the SNLP which remain part consistent/consistent with the NPPF and will ensure that the ecology and bio-diversity of the site will be protected and enhanced.

4.22 As already mentioned the site has a variety of attractive assets, for example mature trees, high quality landscaping and varied topography. The Council’s Landscape Officer does not raise any overall objections to the proposed indicative layout but raises potential concern over the final layout as part of any reserved matters and the need to take into account the future growth of trees being retained. He however satisfied this can be secured by way of a condition.

4.23 In order to achieve the indicative layout shown some young and maturing trees will have to be removed and this not of concern in the bigger picture and layout given many of these are self-seeded. I am satisfied that the layout shown together with conditions to ensure further arboricultural information is submitted, at the reserved matters stage, together with a landscape management plan, the proposed development of the site will result in building on the landscape value identified and accords with Policy IMP2 of the SNLP which remains part consistent/consistent with the aims of the NPPF.

Archaeology

4.24 The application as submitted raised an objection from the Historic Environmental Services (HES) as the submitted desk based assessment was insufficient to describe the impact of this development on the significance of any heritage assets and a field evaluation was necessary, in accordance with paragraph 128 of the NPPF an policy ENV9 of the SNLP.

4.25 Rather than withdraw the application the applicant requested that they the application was put on hold whilst they carry out further works on site and given an opportunity to submit the results of the field evaluation.

4.26 This was submitted and the HES confirm that the proposed development area has been studied via a desk based assessment, and the south east of the site has been subject to an archaeological field evaluation. Whilst no significant archaeological deposits were found in the field evaluation, it did not study the area of highest archaeological potential - to the north west of the site. Adjacent to the northwest boundary, quarrying and later works uncovered a Roman hearth, several Roman urns and a horse skull in association with Roman pottery - this potential has not been explored. They therefore require that an archaeological condition and brief is still needed, but this can be condition to any approval.

4.27 I am satisfied that sufficient evidence has now been submitted to ensure that with an appropriate condition the proposal meets the requirements of the above mentioned policies.

Residential amenity

4.28 A number of residents have raised concerns about the potential for overlooking and loss of privacy as result of the proposed housing development and layout. These concerns are fully appreciated and as this is an outline application the final layout and appearance of the development will be subject to a reserved matter application. I am satisfied that the indicative layout for 50 dwellings on the site can be accommodated on the site, whilst respecting the topography of the site and protecting residential amenity to accord with policy IMP9 of the SNLP which remains consistent with the NPPF. The consideration and appropriateness of single storey buildings can be considered at the reserved matters stage.
Development Management Committee

Other considerations and S106 requirements

4.29 The application has not resulted in outstanding objections from statutory consultees. The initial objection from the Environment Agency has been addressed with the submission of a revised Flood Risk Assessment and is supported with conditions for final design of surface water. Likewise the application is supported by the Council's Flood Defence Officer. Anglian Water have also confirmed there is foul drainage capacity for this scale of development at the Long Stratton STW and that the surface water strategy/flood risk assessment meets their requirements. The proposals for surface water and foul water drainage accords with Policy 3 of the JCS and the aims of the NPPF. In accordance with Policy 3 a condition should also be attached to any permission to require at least 10% renewable energy and all dwellings meet Code for Sustainable Homes Level 4 for water efficiency.

4.30 The application will be subject to a S106 agreement to agree secure contributions for education, library provision and on-site maintenance for play areas and an off-site contribution (amount subject to viability) for older children together with the affordable housing provision and related claw back.

5 Conclusion

5.1 This proposed mixed-use development, which is located within the current and proposed development limits for Long Stratton, can be supported in accordance with policy 14 of the JCS and policy HOU4 of the SNLP which remains consistent with the NPPF.

5.2 The site is within a sustainable location and the mix of housing and employment uses have been shown to work in layout and scale terms on the site. The indicative layout positively responds to the topography of the site and retains key landscape features and is in accordance with the key design principles set out in the Design and Access Statement and policy 2 of the JCS.

5.3 The submitted and amended technical reports address any potential issues and proposed mitigation and with the proposed conditions outlined in the recommendation, ensures the development will protect and enhance the ecology of the site, will protect archaeology, and not cause any flood risk, is acceptable in highway impact terms and will not cause any undue harm on the residential amenity of nearby residential properties. The proposal therefore accords with the aims of the NPPF, and relevant polices in the development plan as outlined in my assessment above.

Contact Officer, Telephone Number: Helen Mellors 01508 533789
and E-mail: hmellors@s-norfolk.gov.uk

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Other Applications

8. **Appl. No**: 2014/0096/O  
**Parish**: WYMONDHAM  

Applicants Name: Mr T Skitmore  
Site Address: Land South East Of 9 Spinks Lane Spinks Lane Wymondham  
Proposal: Erection of five new dwellings and garages with associated works to existing highway

Recommendation: Refusal:
1. Development outside development boundary and within open land maintaining a physical separation between settlements, contrary to local plan policies ENV8 and ENV2.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 04: Promoting sustainable transport  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 08: Promoting healthy communities  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 6: Access and Transportation  
Policy 9: Strategy for growth in the Norwich Policy Area  
Policy 15: Service Villages  
Policy 20: Implementation

1.3 South Norfolk Local Plan 2003  
TRA1: provision of pedestrian links  
TRA 3: provision of cycling facilities  
TRA 17: Off-site road improvements  
TRA 19: Parking standards  
ENV 8: Development in the open countryside (Part Consistent)  
ENV 9: Nationally and locally important archaeological remains (Part Consistent)  
ENV 14: Habitat protection  
ENV 15: Species protection  
UTL 14: Waste collection and recycling  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity  
IMP 25: Outdoor lighting  
HOU 4: Residential development within the defined Development Limits of the Norwich Policy Area settlements, and at selected locations along strategic routes
1.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies
DM1.1 Ensuring Development Management contributes to achieving sustainable development in South Norfolk
DM1.3 Sustainable location of development
DM1.4 Environmental Quality and local distinctiveness
DM3.11 Promotion of sustainable transport
DM3.12 Road safety and the free flow of traffic
DM3.13 Provision of vehicle parking
DM3.14 Amenity, noise and quality of life
DM3.16 Outdoor play facilities and recreational space
DM4.3 Sustainable drainage and water management
DM4.4 Facilities for the collection of recycling and waste
DM4.10 Incorporating landscape into design

1.6 Supplementary Planning Document
South Norfolk Place Making Guide 2012
Wymondham Area Action Plan

2. Planning History

2.1 2013/0111 Erection of 7 new dwellings and garages Withdrawn

3. Consultations

3.1 Parish Council Objects
- Outside of development boundary
- Concerns over the safety and free flow of traffic in a single width lane.
- Concern over drainage.
- Out of character with the rural setting of Spinks Lane.

3.2 District Member To Committee
- Outside of development boundary.
- Traffic generated by the approved site ref 2012/1385 coming onto Norwich Road plus those coming from the Becketts Grove and Carpenters Barn developments.
- Developers of site 2012/1385 paid particular attention to the sensitivity of Spinks Lane and its existing dwellings by the types of their proposed dwellings bounding Spinks Lane as well as not permitting any vehicular access onto the lane.

3.3 Planning Policy Raise following concerns
- The location of this site is within the strategic gap and the particular reference made to the site in the 2012 Chris Blandford.
- Concerns over secondary school capacity.
3.4 NCC Highways

No objection

- The highway improvements now being proposed are considered as satisfactory to cater for the additional traffic that will result from the development and to overcome the highway objection on these grounds.
- The visibility splays have been amended to show access from the site entrances onto Spinks Lane.

3.5 Landscape Officer

First consultation response: Objects

- Requires further information about impacts on trees and hedgerows.
- An assessment against the Hedgerows Regulations criteria should be carried out.

Second consultation response: Objects

- Potential to adversely affect T1 and its root system and encroachment within this key tree’s Root Protection Area.
- Still no assessment of the frontage hedge against the criteria of the Hedgerows Regulations.
- The revised site plan (5338/20/A) implies that all the hedgerow will need to be removed contrary to emerging Policy DM 4.9 (Protection of Trees and Hedgerows).

Third consultation response: Supports

- No objections to the amended proposed site layout (Rev H)

3.6 County Ecologist

- No protected species on site found
- Hedgerows have been assessed as important. In approving a breach, new planting on the boundary to the east and south would provide compensation.
- Would be better to remove the field access to the east as is unnecessary for the management of the field.
- Should these areas be brought forward for development, the ponds would need retaining as they are important habitat to protection.
- Recommends that 5 Swift boxes and 2 sparrow terraces are incorporated into the design of the houses and that a planting plan is submitted and agreed before development commences.

3.7 Housing Strategy Officer

No objection

- An affordable housing package has been agreed with the applicants.

3.8 Flood Defence Officer

First consultation:

- A surface water drainage scheme for this site should be prepared based on the principles of sustainable drainage prior to any development taking place.

Second consultation:

- Further information still needs to be provided that addresses the comments dated 20 August 2014.
- Those comments that remain relevant relate to inaccuracies in information about the existing drainage in the submitted Drainage Strategy Report.

Third consultation

- No objection subject to conditions
3.9 Environmental Services (Protection)

- No objection. In the event that contamination was not previously identified is found, it must be reported in writing immediately to the Local Planning Authority.

3.10 Local Residents

42 letters of objection received:
- Harm to the rural character of the area.
- Adverse impact on highways and safety of pedestrians on Spinks Lane.
- Increase in traffic on Spinks Lane, which is single track.
- Part of the designated strategic gap identified in the Wymondham Area Action Plan.
- Outside of the development boundary for Wymondham.
- Removes existing hedgerows and trees.
- Increased flood risk and surface water.
- Impact on wildlife and habitat.
- Conflicts with Chris Blandford Associates Landscape Designations Review.
- Impact on residential amenity.
- Inaccuracies in the Drainage Strategy Report and correspondence from Andrew Bingham Associates.
- Does not show a true picture of the layout of the existing ditches.
- Concerns about proximity of plot 1 to the neighbouring property to the north (no. 9 Spinks Lane) in relation to residential amenity.

4. Assessment

Location and Description of Site

4.1 The application site consists of approximately 0.4 hectares of agricultural land located on the east side of Spinks Lane in Wymondham. The site is outside the built up area of Wymondham and within a local strategic gap. To the north of the site is a group of residential properties and to the south a series of barn conversations now used for residential purposes. To the west of the site is an area of land that has been granted outline planning permission for 275 dwellings between Norwich Road, Spinks Lane and the A11 outside of the strategic gap (ref 2012/1241). A location plan of the site is attached as Appendix 1.

The Proposal

4.2 The application seeks outline planning permission for the erection of 5 dwellings including access with all other matters reserved for future approval. Access into the site is proposed off Spinks Lane. This is a revised application following withdrawal of an application in March (ref 2013/0111). The revised scheme proposes one less dwelling than the previous scheme and the widening of Spinks Lane at two ‘passing bays’ along the site frontage to a minimum of 4.5 meters to allow cars to pass and increased visibility splays.

Key Considerations

Planning issues

4.3 The main considerations are the principle of development and policy considerations, highway matters, residential amenity, drainage, trees and hedges, and ecology.

Principle of development

4.4 Planning law requires that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in determining planning decisions.
Adopted policy

4.5 With regard to the Adopted South Norfolk Local Plan (SNLP), Annex 1 of the National Planning Policy Framework (NPPF) at paragraph 215 states that where a plan is adopted pre 2004, such as is the case here, decision makers should give due weight to policies in existing plans according to their consistency with the NPPF.

4.6 By way of clarification the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) was adopted in March 2011 with amendments adopted in 2014, and as such paragraph 215 of Annex A of the NPPF as above is not applicable to the JCS.

4.7 The site is located outside the development limit for Wymondham in the 2003 adopted South Norfolk Local Plan (SNLP). Where a site lies outside of an existing defined development boundary, policy ENV8 in respect of development in the countryside applies.

4.8 This policy excludes new residential development within the open countryside unless specific criterion is met. In this case none are met. On this basis the proposed dwellings would not accord with Policy ENV8 and policy 17 of the JCS.

4.9 With regard to Policy ENV8, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF. It is evident that this matter was recently considered by the Secretary of State (SoS) and Planning Inspectorate in the Appeal decision for Chapel Lane, Wymondham (2012/1434) in which the SoS agreed with the Inspector’s observation at paragraph 101 which stated:

"With regard to Local Plan Policy ENV8, I accept that is, to some degree, the ‘other side’ of Local Plan Policy HOU4 that allows housing within Development Limits[54]. However, on its face it is a policy that is designed to protect the countryside, rather than being one of the ‘relevant policies for the supply of housing’154. As such, I consider it is not out-of-date, though I accept that, in the absence of evidence to the contrary, addressing a housing land shortfall may well necessitate conflicting with this policy."

4.10 Therefore, it is considered that Policy ENV8 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the countryside.

4.11 The site is also in the strategic gap as identified under saved policy ENV2 of the SNLP, which seeks to resist inappropriate development which would erode the gaps or undermine the general quality of openness of these gaps, in this case between Wymondham and Hethersett.

4.12 With regard to Policy ENV2, as referred to above, given that this was adopted pre 2004, it is necessary to establish how much weight can be attributed to those in the decision making process by assessing its consistency with the NPPF.

4.13 It is considered that ENV2 is consistent with the NPPF by virtue of it following the aims of section 11 of the NPPF in seeking to protect valued landscapes.

4.14 Therefore, it is considered that Policy ENV2 continues to carry significant weight in the decision making process and the proposal is unacceptable as it would lead to unacceptable residential development in the strategic gap to the detriment of its functionality.

4.15 It should also be noted that Policy 10 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk requires proposed development at Wymondham to be accommodated whilst maintaining the strategic gap to the north and north east of the town and as such the scheme is contrary to this. As stated above, the JCS was adopted after 2004 and as such an assessment against paragraph 215 of the NPPF is not necessary.
Emerging Policy

4.16 Paragraph 216 of the NPPF sets out how to determine the weight attributable to emerging Plans, depending on the stage of preparation of said documents, extent of unresolved objections to policies within the said documents and the degree of consistency with the NPPF. In this instance we have policy DM1.3 which seeks to direct development to sustainable locations within development boundaries or on allocated sites. It is considered that this policy has significant weight, due to there being no objections to the heart of the policy and the Local Plan Examination now having taken place.

4.17 The site also lies outside of the proposed development boundary for Wymondham and as such Policy WYM21 of the WAAP is applicable. This seeks to restrict development outside of the development boundary unless it complies with specific criteria within the Council’s Development management Policies Document. It is considered that the scheme does not comply with any particular criteria from this document and as such the proposal is contrary to Policy WYM21. Having regard to paragraph 216 of the NPPF as referred to above, it is evident that this policy has been challenged and as such does not carry sufficient weight to represent a reason for refusal at this time.

4.18 The site lies within the open land between Wymondham and Hethersett and as such is contrary to the Environmental objective outlined within section 7 of the WAAP. The scheme is considered to be detrimental to this aim. However, given the challenges to the WAAP from third parties, it is not considered that this should be directly referred to in a reason for refusal.

4.19 The WAAP also allocates a maximum of 2,200 new dwellings to Wymondham due to secondary education capacity constraints at Wymondham High School. This 2,200 limit has now been reached on sites with planning permission allocated in the WAAP and although this site is not of a significant size cumulatively any further sites permitted in Wymondham could have the potential to cause difficulties with the provision of secondary education.

4.20 JCS Policy 10 notes that “Secondary education provision remains to be resolved but may require the relocation of the existing secondary school to another site”. This has been superseded by further investigation into school provision, with making maximum use of the Wymondham High Academy site the chosen course of action. Some expansion of Wymondham High Academy is possible, but due to its land-locked position, this cannot go beyond the pupils expected to arise from 2,200 additional dwellings in Wymondham. An expansion masterplan to grow the school to accommodate this level of growth has been agreed by Norfolk County Council Children’s Services with Wymondham High Academy, and the initial phase of the masterplan has been implemented.

4.21 It has therefore been advised by both SNC Planning Policy and NCC Children’s Services that Wymondham does not have sufficient secondary school places for more than 2,200 dwellings to be provided in Wymondham and as such the 2,200 should be viewed as a maximum at least until longer-term (i.e. for the period beyond 2026) consideration of secondary schooling has been undertaken.

4.22 Paragraph 72 of the NPPF directs that local authorities should work proactively to provide for school places within growth areas. However, the local secondary school is now an academy and outside the control of NCC Children’s Services. Wymondham High Academy has advised the Council through the Local Plan process that, due to site constraints, it cannot expand further (beyond the agreed masterplan to accommodate 2,200 new dwellings in Wymondham). Nor does it wish to re-locate either its Sixth Form element or its playing fields off-site; either outcome would be “highly undesirable educationally and would not be in the best interests of our students and staff”.

4.23 It would therefore have to be assumed that should the application be approved the children associated with this development which would require secondary school places would have to be transported from the town to the nearest available places, which could be some distance away.
4.24 Consideration is given to whether this would result in unsustainable pressure being placed on the education resources of the town and unsustainable transport practices being introduced and poor social cohesion if children are not at a school where they live. It is considered in this case, that due to the very low numbers of children associated with this development, the proposals would not lead to a significant impact in terms of community cohesion, education provision and transport movements and is therefore acceptable when accessed against the NPPF.

NPPF and Sustainable Development

4.25 As highlighted above it is necessary to have regard for all material considerations within the decision-making process, and the NPPF is one such material consideration.

4.26 Paragraph 55 of the NPPF sets out when specific exemptions should apply to allow sustainable residential development in rural areas. The applicant has not tried to demonstrate compliance with Para 55 notwithstanding this it is considered by officers that the proposal meets theses exceptions and as such a departure from the development plan is not justified on this basis.

4.27 Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. It should be noted at this time that paragraph 49 also makes reference to how relevant policies in relation to housing are out of date if it cannot demonstrate a five year supply of deliverable housing sites. In this instance the council has recently published a revised position indicating that a five year land supply can be demonstrated within the Norwich Policy Area and therefore as stated above Policy ENV8 continues to carry significant weight.

4.28 In terms of the presumption in favour of sustainable development under paragraph 49 of the NPPF, this confirms that sustainable development has three dimensions, economic, social and environmental. It goes on to stress that these are not to be undertaken in isolation, because they are mutually dependent. The NPPF also sets out 13 themes for delivering sustainable development but considers its meaning of Sustainable Development to be taken as the NPPF as a whole.

4.29 The following is an assessment of whether the scheme can be considered to represent sustainable development:

Economic Role

4.30 The NPPF highlights the economic role as “contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation: and by identifying and coordinating development requirements, including the provision of infrastructure.”

4.31 Whilst it is acknowledged that the site is adjacent to the development boundary of Wymondham which is designated as a “main town” under Policy 13 of the JCS. It is apparent that the Council can demonstrate that it has an up to date 5 year housing land supply of deliverable sites. Therefore, in the context of the economic role, and the need to provide “sufficient land of the right type” it is considered that the Council has met this requirement in respect of residential development and therefore the economic benefits of the scheme are limited when having regard to the NPPF. Although it is acknowledged that the scheme would bring some short term economic benefits as part of any construction work and in the longer term benefits through local spending from the future occupants.
Social Role

4.32 The NPPF confirms the social role as “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations: and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.”

4.33 As highlighted above, given that the Council can now demonstrate an up to date 5 year housing land supply, it is considered that this largely satisfies the requirements set out above in respect of being able to provide sufficient housing in the context of the social role of the NPPF, the social benefits of this scheme are therefore limited.

4.34 It should also be noted that notwithstanding the availability of a range of services in Wymondham, there is acknowledged secondary school capacity issues as outlined above in the report. This failure to be able access secondary education within an acceptable distance would lead to the need to travel further afield. This causes concerns in relation to unsustainable transport practices being used and poor social cohesion if children are not at the school where they live.

Environmental Role

4.35 The NPPF confirms the environmental role as “contributing to protecting and enhancing our natural, built and historic environment: and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

4.36 The site is outside the existing or proposed development limit and would result in encroachment into the open countryside. This unacceptable encroachment is reinforced by the fact that the site lies within the designated strategic gap between Wymondham and Hethersett. With this in mind the proposal would not protect or enhance the built or natural environment.

4.37 On balance, the scheme presents harm in respect of both the environmental and social roles as set out above, and the economic benefits do not outweigh these. On this basis the scheme is not considered to represent sustainable development.

Other issues

4.38 A number of other issues have been raised by local objections and Wymondham Town Council. These are as follows:

- Affordable Housing
- Trees and hedgerows
- Design and layout
- Access and Highways
- Ecology and Protected Species
- Drainage and Flood Risk
- Residential Amenity
- Renewable construction and energy efficiency

Affordable Housing

4.39 The site proposes two affordable homes on the site, which meets the policy requirement of the JCS Policy 4 requiring 33% of the development to be affordable dwellings. The Housing Enabling and Strategy Officer has confirmed that an affordable housing package in accordance with policy has been agreed.
Trees and Hedgerows

4.40 An Arboricultural Assessment has been submitted showing how the design of the site has tried to consider the existing trees and how the retained vegetation will be protected beyond the development phase. The Arboricultural Assessment confirms that the requirement to widen Spinks Lane has the “potential to adversely affect T1 and its root system”.

4.41 Since this application was submitted, South Norfolk Council has served a Tree Preservation Order (TPO) for trees on and near to land at Spinks Lane, which include T1. The justification for serving the TPO is the contribution that these trees make to the landscape character and amenity value of Spinks Lane. Following extensive negotiations with the Landscape Officer, the layout has been amended to remove the requirement to widen Spinks Lane within the Root Protection Area (RPA) of the protected tree T1. The Landscape Officer has confirmed that the amended site layout is now acceptable in terms of ensuring that structures are located outside the RPAs of the trees to be retained.

4.42 An assessment of the frontage hedge against the criteria of the Hedgerows Regulations has been carried out. The hedgerow is classed as protected under the Hedgerow Regulations 1997. The revised site plan (5338/20/H) shows that the majority of the frontage hedgerow is to be retained. However, a small section of the hedgerow is proposed to be removed to obtain the viability splay for the access into site. The hedgerow assessment confirms that the section to be removed is the poorest section in terms of species richness, and that whilst it contains a similar number of tree/shrub species, the bulk of the hedgerow is dominated by Hawthorn in this location. To mitigate against this loss it is proposed that a new native hedgerow will be planted back behind the visibility splay. The Landscape Officer has carried out a review of the development and has no objection to the amended proposals.

4.43 It is considered that by ensuring that structures are located outside the RPAs of trees to be retained and the retention of the majority of the hedgerow at the front of the site as well as additional planting, demonstrates that the site can be developed in a sympathetic and respectful manner to the existing landscape characteristics and accords with Local Plan Policy IMP2 (Landscaping).

Design and Layout

4.44 Whilst this application is for outline planning permission only with matters relating to design being reserved, the applicants Design and Access Statement and indicative site plan and elevations demonstrates how the scheme could achieve a high quality design by having appropriate regard to the sites context. The scheme aims to do this by proposing dwellings of traditional construction and finished in materials found in the local area that relate to the rural character found on Spinks Lane.

4.45 The scheme has been evaluated against the South Norfolk Place-Making Guide and Building for Life criteria and has the potential to achieve a high quality design, subject to any reserved matters application being submitted in accordance with the Design and Access Statement and indicative site layout.

Residential amenity

4.46 The amenity of existing residents must be considered under saved policy IMP9 of the Local Plan. The key concern at the outline stage would be whether the development layout in combination with the proposed scale could be accommodated on the site without detriment to the outlook, privacy or direct daylight or sunlight of existing residential properties.

4.47 Concerns have been raised by some residents about the proximity of plot 1 to the neighbouring property to the north (no. 9 Spinks Lane) in relation to overshadowing and residential amenity.
Having assessed the site layout and scale of dwellings it should be noted that plot 1 has been amended to a bungalow. It is considered that the development has been designed in such a manner to avoid any direct overlooking or adverse impacts in terms of overshadowing of habitable rooms of the nearby residential properties. Proposed properties are located an acceptable distance away from existing neighbouring dwellings and are of a scale that will avoid any unacceptable loss of sunlight to rear gardens.

The proposal is only outline at present, but indicative information has been submitted. The design and position of the properties along the boundaries shows how it helps to minimise any direct impact on the amenity of existing properties and as such is considered acceptable. In a similar way, where the development sides on to existing properties it is felt that there is an acceptable distance between the existing properties and the proposed development. I am therefore satisfied that the development could accord with policy IMP9 of the SNLP at reserved matters stage.

Sustainable construction and water conservation

Policy 3 of the JCS required the sustainable construction of the building and the compliance with Code Level 4 for water conservation. Compliance could be secured by way of condition if the application were to be approved.

Access and Highways

The application proposes that Spinks Lane be widened in two locations along the frontage of the site to a width of 4.5 metres, approximately 1 meter each side of the existing road, to allow vehicles to pass each other. An amended plan shows how viability splays from the proposed new access will also be achieved to provide safe access to the site.

Norfolk County Council Highways has assessed the scheme and conclude that whilst the scheme is not as favourable as the original submission which provided the 4.5m road width, in view of the requirements to protect the roots protection areas of the oak tree (T1), the latest design is considered as acceptable to cater for the additional traffic that will result from the development and raise no objection.

Access into the site is provided off Spinks Lane that links to the primary vehicular access into the site to the north. Pedestrian access continues to be provided along Spinks Lane, which has no footpaths, together with pedestrian access into the site along its primary access. Due to the relatively low number of vehicles that use this section of Spinks Lane and the small increase in additional traffic anticipated from this development, Norfolk County Council Highways have confirmed that they have no objections in terms of vehicle and pedestrian safety and that the proposals meet with the necessary highway safety standards.

In terms of transport sustainability, the site is within the 400 metres walking distance recommended for access to public transport stops on Norwich Road and has good road access to local facilities in Wymondham. A footway / cycleway is also proposed along the south side of Norwich Road from Spinks Lane westwards as part of the approved development to the west ref 2012/1385, which could benefit the development. The site is therefore considered to be acceptable in terms of transport sustainability only.

Provision for refuse and recycling has the potential to be accommodated on-plot with provision for refuse collection points on the edge of private driveways accessible to the public highway.

The Highways Authority has suggested a number of conditions prior to the first occupation of the development relating to: details of vehicular access to be provided and retained at the position shown on the approved plan; arrangements made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway; visibility splay measuring 2.4 m x 43 metres to be provided each side of the access; on-site car parking and turning area be laid out, levelled, surfaced and drained in accordance with the
approved plan; no works to commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works as indicated on drawing number 5338 20 RevG; and off-site highway improvement works completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

4.57 Whilst it is noted that local objection on highways grounds has been received, the County’s technical consultees have found no reason to object to the development, and therefore the development is considered acceptable on the grounds of highway impact and the saved Local Plan Policy IMP8.

Ecology and Protected Species

4.58 An Ecological Assessment of the site and immediate locality has been undertaken and no further work is identified as being required beyond the reports prepared and submitted. The County Ecologist has reviewed the proposals and notes that no protected species have been found on site. A reptile survey and great crested newt preliminary assessment has also been made and the nearby ponds are deemed to have a low likelihood of great crested newts using them. The County Ecologist has identified that there is a chance of transient reptiles using the site, however mitigation is proposed to manage the ground vegetation before and during the construction phase.

4.59 The County Ecologist notes that it is important to consider the newly proposed ‘field access’ to the east of the site and feels that it would be a better solution to remove this field access, as it is unnecessary for the management of the field. However, members should note that this is the only access into the field from the site and it is essential that the area of land behind the site is accessible off the proposed development. It is suggested that maintenance will need to be carried out from time to time, especially to the ditch system, and to avoid the area to the rear becoming inaccessible, providing a field gate access at this point is required. It is therefore proposed to retain the field access as shown on the revised site plan in order to provide access to the east for the purposes of management and maintenance of the field beyond the development to the east. Having considered this against the hedgerows survey it is concluded that the development will not have an adverse impact on the hedge as assessed under the Hedgerow Regulations and is therefore considered acceptable.

4.60 The County Ecologist has recommended a condition requiring that 5 Swift boxes and 2 sparrow terraces are incorporated into the design of the dwellings and a planting plan is submitted and agreed by the planning authority before the construction commences.

4.61 Having considered the comments from the County Ecologists and reviewed the information submitted with this application I am of the opinion that the development accords with policy ENV14 (Habitat protection) and ENV15 (Species protection) of the SNLP.

Drainage and Flood Risk

4.62 Revised drainage information has been submitted in response to initial concerns being raised. The revised details have been assessed by the Council’s Flood Defence Officer and they have confirmed that they have no objection subject to the imposition of conditions relating to the agreement of surface water details.

Other matters

4.63 The Historic Environment Service has carried out an assessment of the proposals and has confirmed that based on the information currently available, the proposal does not have any implications for the historic environment and they do not wish to make any recommendations for archaeological work.

4.64 The Environmental Protection Team raises no objection to the proposals but a condition is suggested that in the event that contamination was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority.
4.65 This application would be liable for Community Infrastructure Levy (CIL) which would be collected at the reserved matters stage.

4.66 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.67 The proposals have been considered against the Environmental Impact Assessment (EIA) Regulations 2011. The environmental, social and economic impacts have all been considered and are adequately addressed as detailed in the above report and the proposal is not considered EIA development.

5. Conclusion

5.1 The development is within the open countryside, outside of existing and emerging development boundaries for Wymondham where policy ENV8 of the South Norfolk Local Plan and policies 10 and 13 of the Joint Core Strategy apply. Furthermore, the site lies within the designated strategic gap between Wymondham and Hethersett and as such is contrary to Policy ENV2 of the South Norfolk Local Plan.

5.2 Policies ENV2 and ENV8 of the local plan and policies 10 and 13 of the JCS exclude new residential development within the open countryside unless specific criterion are met. In this case none are met, therefore the proposal is contrary to these policies.

5.3 It is also evident that the scheme also fails to represent sustainable development in the context of the NPPF by virtue of the modest economic and social benefits of the scheme being outweighed by the harm to the environment identified, which is the conflict with Policies ENV 2 and ENV8 and its intentions of protecting the landscape setting of villages and the overall rural character of the plan area.

5.4 The application is considered to be unacceptable in planning terms and is therefore recommended for refusal.

6. Reason for refusal

6.1 The principle of residential development on this site is not acceptable, by virtue of the site being outside existing and emerging development boundaries, there being a five-year land supply within the Norwich Policy Area and the development not therefore on balance being considered sustainable development. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area the proposed development is not considered to be a sustainable form of development and is considered to be contrary to saved policies ENV8 and ENV2 of the adopted South Norfolk Local Plan (2003), policies 10 and 13 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014), emerging policy 1.3 of the Development Management Policies Document (Submission document November 2013) and paragraphs 14 and 55 of the National Planning Policy Framework (2012).

Contact, Telephone Number and E-mail: Chris Watts 01508 533765 cwatts@s-norfolk.gov.uk
9. **Appl. No**: 2014/1851/F  
**Parish**: WYMONDHAM

Applicants Name: Orchard Developments Ltd  
Site Address: Land Behind 1 Cantley Villas Station Road Spooner Row Norfolk  
Proposal: Sub-division of site, demolition of outbuildings, erection of 7 dwellings, garages and ancillary works.

Recommendation: Refusal
1. Development in the open countryside, contrary to policy ENV 8 of the South Norfolk Local Plan, policy 15 of the Joint Core Strategy, and guidance within the NPPF
2. Impact on neighbouring occupiers, contrary to policy IMP 9 of the South Norfolk Local Plan.

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change  
NPPF 11: Conserving and enhancing the natural environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 6: Access and transportation  
Policy 7: Supporting communities  
Policy 15: Service villages  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.2 Meeting housing requirements and needs  
DM3.9 Design Principles  
DM3.11 Promotion of sustainable transport  
DM3.12 Road safety and the free flow of traffic  
DM3.13 Provision of vehicle parking  
DM3.16 Outdoor play facilities and recreational space  
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions  
DM4.3 Sustainable drainage and water management  
DM4.4 Facilities for the collection of recycling and waste
Development Management Committee

Site Specific Allocations and Policies
Wymondham Area Action Plan

1.6 Supplementary Planning Document – South Norfolk Place Making Guide

2. Planning History

2.1 No planning history.

3. Consultations

3.1 Parish Council Object - outside development boundary, contrary to policy IMP 8 of the SNLP - safe and free flow of traffic, concern over flooding, concern over school placements.

3.2 District Member To be reported if appropriate

3.3 Flood Defence Officer No objections.

3.4 NCC Highways No objections following submission of amended plans.

3.5 Ecologist No objections, conditions recommended.

3.6 Environmental Services (Protection) No objection. Conditions recommended regarding noise from the railway line, land contamination, and external lighting.

3.7 Housing Strategy Manager No objection - the provision of 2 affordable homes accords with policy.

3.8 NCC: Planning Obligations Co Ordinator Awaiting comments

3.9 Representations 9 letters of objection received from local residents raising the following concerns:

- site being outside of development boundary
- unsustainable location, no shops, very limited train service, no bus service, school at capacity
- impact on wildlife features
- loss of equestrian facilities
- overlooking of neighbouring properties
- increased traffic congestion, inadequate visibility
- concerns over potential for site to flood

Further letter of objection received from Spooner Row Primary School, raising concern that school is full to capacity and the development would also lead to increased congestion near the School.
Assessment

Planning permission is sought for the erection of 7 new dwellings, including 3 no. detached two storey dwellings, 2 no. detached bungalows, and 2 no. semi-detached affordable houses on land to the rear of 1 Cantley Villas, Station Road, Spooner Row. Access would be via a new private road accessed from Station Road. The land is currently in agricultural use, and comprises a small number of agricultural buildings which would be demolished. It is adjacent to the Norwich-Thetford railway line.

The main issues to be considered are the principle of development, the layout and design of the proposal, impact on the character of the area, impact on neighbouring occupiers, impact on highways, impact on the natural environment and the issue of education provision.

Principle of development

The site lies outside of the village development boundary as designated by the adopted South Norfolk Local Plan and is therefore classified as open countryside. It is not allocated for development within the emerging Site Allocations Development Plan Document, nor was it submitted to be considered for inclusion as an allocated site.

Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. It should also be noted that paragraph 49 makes reference to how relevant policies in relation to housing are out of date if the Council cannot demonstrate a five year supply of deliverable housing sites. In this instance the council has recently published a revised position indicating that a five year land supply can be demonstrated within the Norwich Policy Area and therefore Policy ENV 8 of the South Norfolk Local Plan (SNLP), which deals with development in the open countryside, continues to carry significant weight. Policy ENV 8 only permits new development within the open countryside in exceptional circumstances. The proposal does not constitute one of these circumstances and therefore conflicts with this policy.

Policy DM1.3 of the emerging Development Management Policies document seeks to direct development to sustainable locations within development boundaries or on allocated sites. Adopted policies in the Joint Core strategy set out the growth strategy for the area including designating Spooner Row as a ‘Service Village’. However, the proposed dwellings would be outside of the proposed development limit for Spooner Row and as such would be contrary to Policy DM1.3. This has some weight at the present time in relation to the application site because the exclusion of the site from the proposed development limit has not been challenged as part of the local plan process, the Local Plan Examination now having taken place.

Layout and design of the proposal

The layout of the proposal would lead to a cul-de-sac form of development with a mix of sizes and types of dwelling. The three two storey detached dwellings would each have a detached building providing garaging. Although the exact materials are to be confirmed, the plans indicate traditional brick and tile materials.

The site is constrained by having a narrow point of access. This has made it necessary to site a private road way and a bin store for the development in very close proximity to the dwelling at no. 1 Cantley Villas. This represents an undesirable form of development as it would harm the amenity of the occupiers of that dwelling. In this respect the proposal conflicts with policy 2 of the Joint Core Strategy and guidance within the NPPF, in terms of not being a high quality form of design. In addition the proximity of the affordable houses to the rear garden of The Granary would lead to a degree of overlooking. The agent has worked with the local planning authority to overcome other concerns about the proposal, but these issues remain outstanding.
Impact on the character of the area

4.8 The site is not particularly visible from the public domain due to having a narrow access point and being well screened by existing buildings on Station Road and trees alongside the boundary with the railway line. Although there would be some impact because it would result in the loss of a green field site, there would be no material harm to the character and appearance of the local area.

Impact on neighbouring occupiers

4.9 The new housing would be located a sufficient distance away from existing dwellings to ensure there would be no harm from overshadowing. However, as described earlier, there would be a degree of overlooking from the upstairs rooms of the affordable dwellings towards the rear garden of a neighbouring house, “The Granary”. This, combined with the impact of the new driveway and bin store on no. 1 Cantley Villas, means there is conflict with policy IMP 9 of the SNLP in terms of impact on neighbouring occupiers.

Impact on highways

4.10 Following the submission of amended plans showing adequate visibility, the County Highway Authority is satisfied with the parking and turning layout and raises no objection to the impact on highway safety. The applicant has agreed to provide a footpath to the village hall to avoid the need for residents to walk in the road. The proposal therefore complies with policy IMP 8 of the SNLP.

Impact on environment

4.11 Concerns have been raised regarding the potential for flooding and drainage issues however the site is not within a high risk flood zone and no objection has been raised by the Flood Protection Officer. In addition the Ecologist is satisfied that there would be no material harm to ecological features, subject to the imposition of conditions.

Education provision

4.12 The Wymondham Area Action Plan allocates a maximum of 2,200 new dwellings to Wymondham due to secondary education capacity constraints at Wymondham High School. This 2,200 limit has now been reached on sites with planning permission allocated in the AAP and although this site is not of a significant size cumulatively any further sites permitted in Wymondham could have the potential to cause difficulties with the provision of secondary education.

4.13 JCS Policy 10 notes that “Secondary education provision remains to be resolved but may require the relocation of the existing secondary school to another site”. This has been superseded by further investigation into school provision, with making maximum use of the Wymondham High Academy site the chosen course of action. Some expansion of Wymondham High Academy is possible, but due to its land-locked position, this cannot go beyond the pupils expected to arise from 2,200 additional dwellings in Wymondham. An expansion masterplan to grow the school to accommodate this level of growth has been agreed by Norfolk County Council Children’s Services with Wymondham High Academy, and the initial phase of the masterplan has been implemented.

4.14 It has therefore been advised by both SNC Planning Policy and NCC Children’s Services that Wymondham does not have sufficient secondary school places for more than 2,200 dwellings to be provided in Wymondham and as such the 2,200 should be viewed as a maximum at least until longer-term (i.e. for the period beyond 2026) consideration of secondary schooling has been undertaken.
Paragraph 72 of the NPPF directs that local authorities should work proactively to provide for school places within growth areas. However, the local secondary school is now an academy and outside the control of NCC Children’s Services. Wymondham High Academy has advised the Council through the Local Plan process that, due to site constraints, it cannot expand further (beyond the agreed masterplan to accommodate 2,200 new dwellings in Wymondham). Nor does it wish to re-locate either its Sixth Form element or its playing fields off-site; either outcome would be “highly undesirable educationally and would not be in the best interests of our students and staff”.

It would therefore have to be assumed that should the application be approved the children associated with this development which would require secondary school places would have to be transported from the town to the nearest available places, which could be at some distance away.

Having regard to the NPPF, consideration should be given to whether this would result in unsustainable pressure being placed on the education resources of Wymondham and Spooner Row and unsustainable transport practices and poor social cohesion if children are not at a school where they live. It is considered in this case, that due to the very low numbers of children associated with this development, the proposals would not lead to a significant impact in terms of community cohesion, education provision and transport movements and is therefore acceptable when accessed against the NPPF.

Local finances

Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

Conclusion

Although the scheme would bring benefits in the form of new private market and affordable housing, the site is outside of development limits and the proposal therefore conflicts with the provisions of the development plan, in particular policy ENV 8. In addition there would be harm to the amenity of the dwelling at no. 1 Cantley Villas, and a degree of overlooking to another residential property, The Granary, in conflict with policy IMP 9 of the South Norfolk Local Plan. The proposal is recommended for refusal on these grounds.

This development would be liable for Community Infrastructure Levy (CIL).

5. Reasons for Refusal

5.1 The principle of residential development on this site is not acceptable, by virtue of the site being outside existing and emerging development boundaries and there being a five-year land supply within the Norwich Policy Area. In the absence of an exception justification relating to affordable housing, agriculture, forestry or sustaining economic or social activity in the surrounding area, the proposed development is contrary to saved policy ENV8 of the adopted South Norfolk Local Plan (2003), policy 15 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014) and paragraphs 9 and 49 of the National Planning Policy Framework (2012).
5.2 The location of the proposed private vehicular driveway and bin store would be in close proximity to the dwelling at no. 1 Cantley Villas and the associated noise disturbance and visual impact of this would cause harm to the amenities of that property. In addition the proposed affordable houses would overlook the rear garden of The Granary. These factors are contrary to saved policy IMP 9 of the South Norfolk Local Plan (2003).

Contact Officer, Telephone Number and E-mail: Robert Webb 01508 533681 rwebb@s-norfolk.gov.uk
10. **Appl. No**: 2014/2077/F  
**Parish**: THURLTON  
Applicants Name : Tredwell Developments Ltd  
Site Address : Land Rear Of Norman Close Thurlton Norfolk  
Proposal : Erection of 7 bungalows : 4 x 2-bed semi-detached bungalows (Plot 7 to be affordable in perpetuity) and 3 x 3 bed detached bungalows.

Recommendation : Refusal

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design  
NPPF 12: Conserving and enhancing the historic environment

1.2 Joint Core Strategy  
Policy 1: Addressing climate change and protecting environmental assets  
Policy 2: Promoting good design  
Policy 3: Energy and water  
Policy 4: Housing delivery  
Policy 17: Small rural communities and the countryside

1.3 South Norfolk Local Plan 2003  
ENV 8: Development in the open countryside (Part Consistent)  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.2 Meeting housing requirements and needs  
DM3.9 Design Principles  
DM3.11 Promotion of sustainable transport  
DM3.12 Road safety and the free flow of traffic  
DM3.13 Provision of vehicle parking  
DM3.16 Outdoor play facilities and recreational space  
DM4.1 Building Fabric Energy Efficiency, Carbon Compliance and Allowable Solutions  
DM4.3 Sustainable drainage and water management  
DM4.4 Facilities for the collection of recycling and waste

Site Specific Allocations and Policies
2. Planning History

2.1 2014/1415

New housing development for 7 bungalows:
- 4 x 2-bed semi-detached bungalows (one to be affordable in perpetuity); and
- 3 x 3-bed detached bungalows

Withdrawn

3. Consultations

3.1 Parish Council

Support - the proposal fits much better with the views of the Parish Council and many other residents on how and where new housing should be situated within the village. In SNDC plans, Thurlton is designated as a Service Village and can therefore be expected to take a limited amount of additional housing. A fundamental difference of opinion has developed between SNDC planners and the Parish Council over where new housing should be situated.

The alternative position to a single new estate type development is for any new housing to be distributed between a number of much smaller sites around the village. This is felt to be far more in line with maintaining the character of the village and will enable much easier assimilation of new residents.

3.2 District Member

To committee

The application raises significant issues of planning policy in terms of the local plan examination and the Council's proposed allocation of housing for Thurlton in the Local Plan period.

This has also attracted a significant amount of interest and engagement with the residents of Thurlton and so determination at the Committee would allow greater engagement by them in the determination process.

3.3 Flood Defence Officer

No objection subject to condition regarding surface water drainage.

3.4 Environmental Services (Protection)

No objection subject to a condition relating to contaminated land.

3.5 NCC Highways

No objection subject to a condition requiring access/parking and turning.

3.6 Historic Environment Service

No objection, subject to conditions

3.7 Ecologist

No objection subject to condition requiring a reptile survey of site

3.8 Representations

15 letters of support. Reasons for support:

- Smaller developments such as this are preferred to the larger Beccles site proposed by South Norfolk Council as part of the local plan process.
- The proposal would allow residents to downsize to smaller properties, freeing up houses for families.
- The site is too small for agricultural use.
- The site provides easy access to the school.
1 letter of objection:
- Visual impact of proposal on the edge of village
- Impact on highway safety from increased traffic
- The potential for noise nuisance.
- Impact on ground stability.

4. Assessment

4.1 The proposal is for 7 no. bungalows on the edge of the village of Thurlton. The site is currently agricultural land, and would be accessed from Norman Close, a modern development of houses to the south-west. Thurlton Primary School is to the west, a bowling green and allotment gardens to the south and east, a residential dwelling to the north-west and a road and agricultural land to the north-east.

4.2 The main issues to be considered are the principle of development, the layout and design of the proposal, impact on the character of the area, impact on neighbouring occupiers, and impact on highways.

Principle of development

4.3 The site lies outside of the village development boundary as designated by the adopted South Norfolk Local Plan and is therefore classified as open countryside. In addition it is not allocated for development within the emerging Site Allocations Development Plan Document.

4.4 15 letters of support have been received, largely from residents living close to a site (site THL1) further to the south next to Beccles Road which has been allocated for housing development within the Site Specific Allocations DPD. Supporters would prefer to see the application site developed as an alternative to the larger allocated site, due to concerns over the impact of a single larger development on the village. The Parish Council also support the proposal on this basis.

4.5 The application site was considered as part of the local plan process but was not allocated. It has been suggested that this was partly due to Highways concerns, but these have now been addressed through the current application. The application site was identified as a Reasonable Alternative at the Preferred Options stage of the local plan process. This meant that, had a situation arisen in which the Council were not able to proceed with allocating the preferred site (site THL1), then the application site would be considered for allocation instead. However, the Council was satisfied to proceed with allocation of site THL1 and therefore the highway objection that was made during the preferred options consultation to the application site did not significantly affect the situation. As a consequence, the revision to the position of the highway authority does not alter the Council’s position in regard to the allocation of site THL1, or the non-allocation of the application site.

4.6 This application site will be considered by the Inspector reporting on the Examination of the new local plan, but until the outcome is known the application should be assessed against the current development plan. The proposal conflicts with policy ENV 8 of the SNLP which only permits new development in exceptional circumstances, and the proposal does not meet any of the exceptional criteria.

Layout and design of the proposal

4.7 The layout of the proposal would lead to a cul-de-sac form of development comprising single storey dwellings of a similar design and appearance. Six of these would be semi-detached, with a further detached property. Two parking spaces are indicated for each dwelling, and two of the properties would have a single garage. There would be 4 no. 3 bed dwellings and 3 no. 2 bed dwellings. One of the two bed properties would be an affordable dwelling. The bungalows would have soft red bricks, red clay pantiles and white UPVC doors and windows. The layout and design of the proposal is considered to be acceptable and in accordance with Policy 2 of the Joint Core Strategy and guidance on design within the NPPF.
4.8 The proposal would represent a continuation of the Norman Close development and would be of a similar character. With the dwellings being single storey, the visual impact would be fairly limited. The proposal would however result in the loss of a field which provides a sense of openness and visual amenity on the edge of the village. Overall however, the proposal would not in itself cause material harm to the character of the area.

Impact on the character of the area

4.9 One letter of objection has been received, raising concerns about the potential impact of noise from the development, and the impact on ground stability during construction. No objection is raised by Environmental Services to the proposal. No material harm would be caused due to overlooking, loss of privacy, or overshadowing or noise nuisance. The proposal complies with policy IMP 9 of the SNLP in terms of impact on neighbouring occupiers.

Impact on neighbouring occupiers

4.10 The County Highway Authority is satisfied with the parking and turning layout and raises no objection to the impact on highways. The proposal therefore complies with policy IMP 8 of the NSLP in this regard.

Impact on highways

Local Finances

4.11 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.12 This development would be liable for Community Infrastructure Levy (CIL)

5. Conclusion

5.1 The proposal would lead to a small development of new dwellings on a greenfield site, which is not allocated for development within either the adopted or emerging local plan for South Norfolk. Whilst the form and character of development would be acceptable, the principle of development conflicts with the provisions of the development plan. There are considered to be no material considerations which suggest that a departure should be made from these provisions, and therefore it is recommended that planning permission be refused.

6. Reasons for Refusal

6.1 The site lies within open countryside as designated by the current adopted South Norfolk Local Plan, and therefore the proposal conflicts with saved policy ENV.8 of the Local Plan, which only permits new development in exceptional circumstances.

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and E-mail: rwebb@s-norfolk.gov.uk
11. **Appl. No** : 2014/2087/F  
**Parish** : SAXLINGHAM NETHERGATE  

Applicants Name : Mrs Hilary Goodfellow  
Site Address : Cargate Lodge Cargate Lane Saxlingham Nethergate Norfolk NR15 1TS  
Proposal : Proposed single storey dwelling  
Recommendation : Refusal  

1. **Detrimental to the character of the area, contrary to Joint Core Strategy policy 2 and Place Making Guide.**  
2. **Detrimental to residential amenities of future occupiers and neighbouring property, contrary to Joint Core Strategy policy 2 and local plan policy IMP 9.**

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 06: Delivering a wide choice of high quality home  
NPPF 07: Requiring good design

1.2 Joint Core Strategy  
Policy 1 : Addressing climate change and protecting environmental assets  
Policy 2 : Promoting good design  
Policy 3: Energy and water  
Policy 4 : Housing delivery  
Policy 15 : Service Villages

1.3 South Norfolk Local Plan 2003  
IMP 2: Landscaping  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

1.4 South Norfolk Place-Making Guide

1.5 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.6 Development Management Policies  
DM1.3 Sustainable location of development  
DM1.4 Environmental Quality and local distinctiveness  
DM3.1 Housing Quality  
DM3.6 Replacement dwellings and additional dwellings on sub-divided plots within Settlements  
DM3.9 Design Principles  
DM3.12 Road safety and the free flow of traffic  
DM3.13 Provision of vehicle parking  
DM3.14 Amenity, noise and quality of life

2. **Planning History**

2.1 2014/0835 Proposed extension to existing single storey annexe to form separate dwelling Withdrawn
3. Consultations

3.1 Parish Council Object:
- The proposed dwelling would create two separate properties on one plot, and would have an adverse impact on neighbouring properties.

3.2 District Member To committee (neighbour support)

3.3 Flood Defence Officer The site lies within flood zone 1 however it is at a high risk of surface water flooding. It is recommended that mitigation measures be investigated. In addition the Environmental Protection Team understands that the current capacity in the Anglian Water foul drainage system for the Saxlingham Nethergate area is near to, or currently at, its maximum capacity. Any additional loading to the system could have an adverse impact as the system may not be able to satisfactorily accommodate the increased flow, assuming Anglian Water Services Ltd will permit the proposed development to be connected to their drainage system. This should be investigated further.

3.4 NCC Highways No objection subject to conditions.

3.5 Environmental Services (Protection) No comments received

3.6 Landscape Officer To be reported

3.7 Representations 2 letters of support received:
- The proposal would allow the applicant to remain within the village and live close to her family.
- The dwelling would be largely invisible from Cargate Lane and would have limited visual impact.

1 letter of objection from occupier of Cargate House (neighbouring property):
- The development site is too small to accommodate the proposed dwelling.
- There is inadequate private amenity space.
- The dwelling would be surrounded by access ways on three sides.
- The vehicular right of way to our property would be significantly impacted, due to the potential for parked cars blocking the route.
- Concerns about overlooking, noise and light impact.

4 Assessment

4.1 The proposal is the extension of an existing residential annexe and the subdivision of the plot to provide a new independant single-storey dwelling at Cargate Lodge, Cargate Lane, Saxlingham Nethergate. The site is located to the front of the main house, next to the road, and would be accessed using the existing driveway for Cargate Lodge.

4.2 The dwelling proposed would have two bedrooms, a kitchen, lounge, bathroom and en-suite shower room. The materials would match the existing annexe, namely red brick and tiled roof. There would be two parking spaces. It would provide living accommodation for the applicant, enabling her daughter and family to take residence in Cargate Lodge.
The main issues to be considered are the principle of development, design, impact on the character of the area, impact on neighbouring occupiers and highway impact.

Principle of development

The site lies within the settlement boundary of Saxlingham Nethergate. As a result, the principle of new residential development is acceptable but must be assessed on its detailed merits.

Design

The proposed dwelling would be single storey and the materials would consist of various hipped roof elements of varying height. The design and appearance of the dwelling is considered acceptable, however the footprint of the building would occupy the majority of the plot, leaving minimal private amenity space. The external space would be dominated by parking and turning areas, which would not provide a high standard of amenity for the occupier. In addition the layout of the plot would be cramped and surrounded on three sides by vehicular roads/accesses. There would be a reasonable separation from the existing house due to the right of way, however some overlooking would arise over the new dwelling from the upstairs window of Cargate Lodge. On balance the proposal does not comply with policy 2 of the Joint Core Strategy in this regard, in that it would not represent a high standard of design.

Impact on the character of the area

This part of Saxlingham Nethergate is characterised by detached dwellings set within generous plots. Although the house to the east (Cargate House) is positioned next to the road, the house on the application site, and the dwellings to the north and west are set back from the road with large front gardens. This well-defined pattern of development makes a strong contribution to the rural character of the area. The South Norfolk Place-Making Guide requires that new development should relate well to the character of the local area and to its positive characteristics and typical local patterns of development and open spaces (Section 3.4.1 Local Surroundings).

The proposed development would lead to a form of ‘tandem’ development which is not characteristic of the area. Although there is a small annexe and outbuildings already on the site, the presence of a dwelling would change the character of the site and potentially lead to further development pressure within other front gardens of Cargate Lane which would be undesirable.

In the light of the above, the proposal would conflict with the Place Making Guide and JCS policy 2, which also requires development proposals to respect local distinctiveness and the character of towns and villages. There is further conflict with policies 1.4 and 3.9 of the emerging Development Management Policies Document, which requires development to make a positive contribution to local character.

Impact on neighbouring occupiers

An objection has been received from the occupiers of the neighbouring property, Cargate House. Concerns are raised about the potential for overlooking, noise disturbance, and obstruction of the vehicular right of way which exists for Cargate House across land owned by Cargate Lodge.

The site is well screened by a combination of brick walls and mature planting. It is not considered there would be material harm from noise or overlooking. There is considered to be the potential for conflict as it is possible that visitors/residents may park on the right of way serving Cargate House. There is the possibility some conflict would occur due to the right of way issue and the cramped form of development proposed, therefore there is a degree of conflict with saved policy IMP 9 which requires development proposals to safeguard the amenity of neighbouring occupiers.
Impact on highways

4.11 The Highway Officer is satisfied that sufficient parking and turning is shown within the site. No objections are raised to the highway impact, subject to conditions securing the retention of adequate visibility and the construction of the parking and turning area. The proposal therefore complies with saved policy IMP 8 of the SNLP.

Other matters

4.12 Further information has been sought from the Flood Protection Officer about the mitigation of surface water flooding and the capacity of the local sewerage system. This has not been sought from the applicant due to the recommendation of refusal, however should Members be minded to approve the application it is recommended that officers be given delegated authority to resolve these issues prior to permission being granted.

Conclusion

4.13 Whilst the personal need for the development is acknowledged, the application must be assessed on its planning merits and on balance it is considered harm would be caused to the character of the area. In addition the cramped form of development would provide a poor standard of residential amenity and has the potential to cause conflict with neighbouring occupiers. The application is therefore recommended for refusal.

Local Finances

4.14 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

This development would be liable for Community Infrastructure Levy (CIL)

5. Reasons for Refusal

5.1 The proposed development would lead to a form of ‘tandem’ development which is not characteristic of the area and fails to respect the pattern of development. This would change the character of the site and potentially lead to further undesirable development pressure within other front gardens of Cargate Lane. The proposal therefore fails to comply with the South Norfolk Place-Making Guide (Section 3.4.1) and with policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014), which requires development proposals to respect local distinctiveness and the character of towns and villages.

5.2 The proposal represents a cramped form of development which would provide a poor standard of residential amenity in terms of minimal outside amenity space, and has the potential to cause conflict between neighbouring occupiers due to the cramped layout of the site next to the vehicular right of way serving Cargate House. The proposal therefore conflicts with policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amended in 2014) and the saved policy IMP 9 of the South Norfolk Local Plan (2003).

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12. **Appl. No**: 2014/2117/F  
**Parish**: BERGH APTON

Applicants Name: Mrs H Lewin  
Site Address: West Five, Mill Road Bergh Apton Norfolk NR15 1BQ  
Proposal: To use one room in house as a hairdressing salon - retrospective.

Recommendation: Approval with conditions

1. Retain use in accordance with plans  
2. Personal permission – no additional employees  
3. Hours of operation (as detailed in the assessment)  
4. Retention of car parking

1. **Planning Policies**

1.1 National Planning Policy Framework  
NPPF 03: Supporting a prosperous rural economy

1.2 Joint Core Strategy  
Policy 5 : The Economy

1.3 South Norfolk Local Plan 2003  
IMP 8: Safe and free flow traffic  
IMP 9: Residential amenity

1.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be Spring 2015. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to the emerging policies as they advance through their preparation.

1.5 Development Management Policies  
DM2.3 Working from home  
DM3.12 Road safety and the free flow of traffic  
DM3.14 Amenity, noise and quality of life

2. **Planning History**

2.1 2007/1496  
Replacement of timber conservatory with PVCU (polycarbonate roof)  
Approved

3. **Consultations**

3.1 Parish Council  
Unable to reach consensus over intensity of business use and adverse impact on neighbour. Felt unable to suggest appropriate conditions should Council wish to approve.

3.2 District Member  
Proposal demonstrates tension between need to support small businesses and impact on amenity of immediate neighbours as houses are terraced.

3.3 NCC Highways  
No highway objections.

3.4 Environmental Services (Protection)  
No objections but recommend limiting hours as per application. No complaints received.
3.5 Representations

1 letter of objection:

- Parking - only parking for 2 cars so results in congestion.
- Noise/privacy - entry to salon is via passageway adjoining my property. Banging doors create noise. Conversations can be heard through open windows. My lounge window near entrance door so privacy eroded.
- Trading hours - hours vary, apparently late night on Monday.
- Business from a mid-terrace is unacceptable. 'A' board outside encourages passers by. Steady flow through the day.

12 letters of support: 5 from nearby residents and 7 from wider area

- Much needed community facility, especially for elderly and disabled.
- Rural communities rely on this kind of business.
- Not affected by any parking problems, applicant works alone with appointment system so limits car movements.
- Have always been able to park within site, vehicle movements only the same as an average family.
- Live in adjoining property and have never experienced noise problems.
- People coming and going deters burglars.
- Not aware of activity at weekends.

4 Assessment

4.1 The application site comprises a mid-terrace dwelling house on a residential road within the village boundary of Bergh Apton. Earlier this year, the applicant started a hairdressing business from her home. The business is operated from the existing rear conservatory with the rest of the property remaining in residential use. The dwelling is set back 9 metres from the highway and the front has a shingle surface which allows the parking of up to four vehicles in a tandem arrangement. It is considered that the level of business activity represents a material change of use of part of this property and so this application seeks the retention of this additional use in its current form.

4.2 The hairdressing business operates from the rear conservatory and is accessed via the main front door which is sited close to the boundary with the adjoining property, Bells Cottage. In the rear garden, this boundary is enclosed by the side wall of Bells Cottage and fencing. The applicant has confirmed that they work alone, operate an appointment system and usually work from the property on Mondays, Wednesday mornings, Thursdays, Fridays and Saturday mornings. The first appointment is 9am and the latest appointment is 4.30pm in order to be finished by 6pm. On Wednesday afternoons, the applicant usually operates a mobile business visiting clients in their homes but also seeks permission to operate all day on Wednesdays in case this changes.

4.3 The assessment of this application gives due weight to the saved policies in the South Norfolk Local Plan referred to above, because those policies remain consistent / part consistent with the published National Planning Policy Framework.

4.4 National planning policy supports the development of local services in village locations and adopted and emerging local planning policies support proposals that would allow working from home providing that no adverse impacts are identified. Therefore, the main issues are the impact of this business use on nearby residential amenity, local highway conditions and the character and appearance of the area.
4.5 The hairdressing business is operated from the conservatory only and the rest of the property remains in residential use. The applicant works alone and so arranges one appointment at any time. It is considered that this level of business activity, while a material change of use, remains ancillary to the main residential use of the site. Therefore, a condition is recommended restricting the permission to the applicant only with no other person being employed to restrict intensification of the business activity.

4.6 The conservatory which houses the salon is partially screened from the occupiers of Bells Cottage by their own side wall. However, concern has been expressed that noise from the business, including conversations, can be heard from their property especially during summer months when the windows are open. It is considered that the level of noise generated would not vary greatly from any residential use of the conservatory and so, providing the salon operates during regular business hours only, the impact on adjoining residential amenities would be acceptable in this respect. A condition is recommended that would restrict the hours of operation of this business to between 9am -6pm on Monday - Friday and 9am - 1pm on Saturday with no working on Sunday or public holidays. The adjoining dwelling on the east side is well screened from the conservatory of West Five and no objections have been received from the occupiers of this property. Concern has also been expressed regarding loss of privacy to the adjoining dwelling due to the proximity of the front door of the application property to the neighbouring lounge window. A high fence panel has been erected at this point which screens this window from views but fencing along this boundary is not in the ownership of the applicant.

4.7 The current parking arrangement at this property allows parking for the applicant and at least two additional cars at any one time. A cycle rack has also been installed beside the parking spaces. At the current level of activity, this parking is considered adequate for both the residential use and hairdressing business and NCC Highways have no objections. A condition is recommended requiring the retention of this level of parking at all times.

4.8 The applicant currently places an ‘A’ sign board on the front boundary which does not require advertisement consent. She has advised that this is to allow booked customers to identify her property and that no passing business is generated as a result.

4.9 Under Section 143 of the Localism Act the council is required to consider the impact on local finances. This can be a material consideration but in the instance of this application the other material planning considerations detailed above are of greater significance.

4.10 This application is not liable for Community Infrastructure Levy (CIL)

5. Conclusion

5.1 The existing hairdressing use operates from one room within this dwelling with the rest of the property remaining in residential use. Existing off-street parking provision in acceptable and the business use does not adversely impact on local highway conditions. Whilst objection has been received from an adjoining occupier, it is considered that the current level of activity has an acceptable impact on neighbouring residential amenity and conditions are recommended to restrict hours of operation and further employees which may cause harm. On this basis, it is considered that the existing use represents a local service in a village location which has an acceptable impact on the character of this residential road and so is supported by national and local planning policies.

Contact Officer, Telephone Number Blanaid Skipper 01508 533985
and E-mail: bskipper@s-norfolk.gov.uk
Agenda Item 7

Enforcement Reports

1. Enforcement Ref : 2013/8230
Parish : TIVETSHALL ST MARGARET

Site Address : Saddleback Farm, Station Road, Tivetshall St Margaret,
Norfolk, NR15 2BB

Development : Unauthorised residential use of former pig building
Developer : Mr & Mrs Calton-Moore

1. Background

1.1 Temporary planning permission was granted in 2002 under references 2002/0350/F and
2002/1933/CU for a mobile home and part of a former pig building, which was previously
used as an office, to be used as a temporary dwelling whilst the applicants established a
pig farming business and provide evidence of it being financially sound. In 2005 the
temporary permission was renewed for a further two years under reference 2005/0748/F.

1.2 In 2005 under reference 2005/2286 outline planning consent was granted for a permanent
residential dwelling following the demonstration that the business was financially sound
and had a clear prospect of remaining so. Reserved Matters approval was given in 2006
and the dwelling has been erected and is occupied. The use of the temporary dwelling
ceased.

1.3 It has been brought to our attention that the former pig building is again being used for
residential occupation. The occupier of the building is a family friend and is not employed
full-time on the site.

1.4 The owners of the site were invited to either cease the residential use or submit a
planning application to regularise the situation. They have subsequently informed the
Council the building is still in residential use and they do not wish to submit an application.

2. Planning policies

2.1 National Planning Policy Framework
NPPF 07: Requiring good design

2.2 Joint Core Strategy
Policy 2 : Promoting good design

2.3 South Norfolk Local Plan 2003
ENV 8: Development in the open countryside (Part Consistent)
IMP 8: Safe and free flow traffic
IMP 9: Residential amenity

2.4 Emerging South Norfolk Local Plan
Please note that these policies are not yet part of the Development Plan. They were submitted to
the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage.
Full weight cannot be given to them until final adoption which is likely to be at the end of 2014. In
line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be
applied to emerging policies as they advance through their preparation.

2.5 Development Management Policies
DM1.3 Sustainable location of development
M2.10 Conversion and re-use of buildings in the Countryside for non-
aricultural use
DM3.14 Amenity, noise and quality of life
3. Planning History

3.1 2014/1591 Application for prior determination notification of a proposed change of use of agricultural buildings to 2 no dwellings
Prior approval not required (Approved)

3.2 2006/0241 Permanent agricultural dwelling
Approved

3.3 2005/2286 Permanent agricultural dwelling and demolition of existing buildings
Approved

3.4 2005/0748
- Resubmission of 2004/1864 for the proposed erection of 2no storey detached dwelling
- Renewal of temporary accommodation on site, granted under application number 2002/0350/F and 2002/1933/CU
Split Decision
Refused
Approved

3.5 2005/0242 To roof over existing muck passages and straw storage area
Approved

3.6 2004/1864 Proposed erection of 2no storey detached dwelling to replace temporary accommodation on site with retention of temporary accommodation until new dwelling is built
Withdrawn

3.7 2002/1933 Change of use from office accommodation to residential unit with erection of lean to onto mobile home to form link between mobile and lobby
Approved

3.8 2002/0350 Provision of a temporary dwelling
Approved

4. Assessment

4.1 The former pig building was subject to an application for prior determination notification of a proposed change of use of agricultural buildings to 3 no dwellings under planning reference 2014/0800. The application was refused due to the proximity of this building and one other, to an existing livestock operation which would make its use as a dwelling house undesirable because of the adverse impact on the residential amenity due to flies, noise and odour associated with the existing activity. In addition, the vehicle movements associated with this development would be unrelated to and conflict with the vehicle movements associated the existing agricultural operation within this site and would create a hazardous environment which would adversely affect residential amenity.

4.2 For the reasons outlined above the building is not considered suitable for use as a permanent residential unit. It is no longer required as a temporary unit of accommodation in connection with the agricultural enterprise as this is provided by a permanent dwelling house and therefore it is considered expedient to seek authority to cease the unauthorised residential use of the building.

5. Recommendation

5.1 That enforcement action be authorised to cease the residential use of the building.

Contact Officer, Telephone Number and E-mail: Andy Baines 01508 533840 abaines@s-norfolk.gov.uk
2. **Enforcement Ref**: 2014/8238  
**Parish**: NEEDHAM  
**Site Address**: Land between 137 & 139 High Road, Needham, Norfolk, IP20 9LG,  
**Development**: Residential use of land  
**Developer**: Miss N Stickells & Mr M Percival

1. **Background**

1.1 It was brought to our attention that two horse boxes and van have been brought on to the site and are being used for residential occupation. The owners of the site were invited to submit an application to regularise the use or to cease the unauthorised use of the land. No application has been received, the residential use continues and a further van has been brought on to the site.

2. **Planning Policies**

2.1 National Planning Policy Framework  
NPPF 07: Requiring good design  
NPPF 10: Meeting the challenge of climate change, flooding and coastal change

2.2 Joint Core Strategy (JCS)  
Policy 16 – Other villages

2.3 South Norfolk Local Plan  
ENV8 – Development in The Open Countryside

2.4 Emerging South Norfolk Local Plan  
Please note that these policies are not yet part of the Development Plan. They were submitted to the Planning Inspectorate on 17th April 2014 but have not yet completed the Examination stage. Full weight cannot be given to them until final adoption which is likely to be at the end of 2014. In line with paragraph 216 of the National Planning Policy Framework (2012) some weight can be applied to emerging policies as they advance through their preparation.

2.5 Development Management Policies  
DM 1.3 The sustainable location of new development

3. **Recent Planning History**

3.1 No relevant history

4. **Assessment**

4.1 The site is located outside any defined development boundary or limit. The site was put forward for development as part of the Local Development Framework process. However, it was considered the inclusion of this land would lead to an extension of the development boundary that would intrude in to the open countryside and result in a level of development beyond that set out in JCS Policy 16.

4.2 The principle of development on this land would therefore be unlikely to be supported and therefore the residential use of the site is contrary to the above policies. Furthermore part of the site is within both Flood Zone 2 and Flood Zone 3 where there is a presumption against development.
5. **Recommendation**

5.1 That enforcement action be authorised to cease the unauthorised residential use of the site.

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01508 533840  abaines@s-norfolk.gov.uk
Planning Appeals  
Appeals received from 5 November 2014 to 1 December 2014

<table>
<thead>
<tr>
<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
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| 2014/1325 | Caistor St Edmund  
Land West Of 78 Caistor Lane  
Caistor St Edmund Norfolk | Mr Andrew And Mrs Jill Halsey    | Outline permission (with all matters reserved) for a four bedroom, single storey dwelling.                                               |

Planning Appeals  
Appeals decisions from 5 November 2014 to 1 December 2014

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<th>Ref</th>
<th>Parish / Site</th>
<th>Appellant</th>
<th>Proposal</th>
<th>Decision Maker</th>
<th>Final Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
</table>
| 2013/2094 | Tharston And Hapton  
Land East Of Tas River  
And South Of Long  
Lane Tharston Norfolk | Mr C Harrison                | To regularise the building of a shed (retrospective) and to acquire planning permission for a new storage Barn and greenhouses | Delegated      | Refusal         | Appeal dismissed |